



# The Calendar of the House of Representatives

Speaker Allan G. Bense

Speaker pro tempore Leslie Waters

Week 7 –Day 46

Friday, April 21, 2006

**The House will convene on Friday, April 21, 2006 at 9:00 AM**

These are the times reserved for committee meetings, but committees do not necessarily meet. See detailed meeting notices.

Monday Day 42 April 17, 2006	Tuesday Day 43 April 18, 2006	Wednesday Day 44 April 19, 2006	Thursday Day 45 April 20, 2006	Friday Day 46 April 21, 2006
<p>Meeting Notice Due April 13, 2006</p> <p><b>TRAVEL</b></p>	<p>Meeting Notice Due April 14, 2006</p> <p><u>8:00 – 10:00</u> Group B Commerce Council 404H</p> <p><u>10:15 – 12:15</u> Group D Health &amp; Families Council Reed Hall</p> <p>Justice Council 404H</p>	<p>Meeting Notice Due April 17, 2006</p> <p><u>8:30 – 10:30</u> State Resources Council Reed Hall</p> <p><u>11:00 – 2:45</u> <b>SESSION</b></p>	<p>Meeting Notice Due April 18, 2006</p> <p><u>8:00 – 9:00</u> Reserved for Budget Conference</p> <p><u>9:00 – 12:00</u> <b>SESSION</b></p> <p>15 minutes <u>upon adjournment of Session</u> Group F Rules &amp; Calendar Council 404H</p>	<p>Meeting Notice Due April 20, 2006</p> <p><u>8:00 – 9:00</u> Reserved for Budget Conference</p> <p><u>9:00 – 11:00</u> <b>SESSION</b></p> <p><u>Immediately</u> <u>adjournment of Session</u> Group F Rules &amp; Calendar Council 404H</p> <p><u>11:15 – 1:00</u> Group E Fiscal Council 212K</p>
12:00 – 1:00 LUNCH	12:00 – 1:00 LUNCH		12:00 – 1:00 LUNCH	
<p><u>1:00 – 2:00</u> Gov. Op. Morris Hall</p> <p><u>2:00 – 3:00</u> Business Reg. Reed Hall</p> <p><u>3:00 – 5:15</u> Group E Fiscal Council 212K</p> <p>Group E Fiscal Committees Agric. &amp; Env. Approp. 306H Criminal Justice Approp. 214C Education Approp. 212K Finance &amp; Tax 404H Health Care Approp. Morris Hall Judiciary Approp. 28H State Admin. Approp. 12H Trans. &amp; Econ. Dev. Approp. Reed Hall</p> <p><u>5:30 – 6:00</u> Group F Rules &amp; Calendar Council 404H</p>	<p><u>1:00 – 3:45</u> <b>SESSION</b></p> <p>15 minutes <u>upon adjournment of Session</u> Group F Rules &amp; Calendar Council 404H</p> <p><u>4:00 – 6:00</u> Group A State Infrastructure Council 404H</p> <p>Education Council Morris Hall</p>	<p>15 minutes <u>upon adjournment of Session</u> Group F Rules &amp; Calendar Council 404H</p> <p><u>3:30 – 5:00</u> Group C Local Government Council 404H</p> <p>State Administration Council Morris Hall</p>	<p><u>12:30 – 1:30</u> Legislative Budget Commission</p> <p><u>12:30 – 2:30</u> Group B Commerce Council 404H</p> <p><u>2:45 – 4:45</u> Group D Health &amp; Families Council Reed Hall</p> <p>Justice Council 404H</p> <p><u>3:30 – 5:30</u> Group C State Resources Council Reed Hall</p> <p>State Administration Council Morris Hall</p> <p>TBA Reserved for Budget Conference Saturday Day 47 April 22, 2006 Reserved for Budget Conference Sunday Day 48 April 23, 2006 Reserved for Budget Conference</p>	<p><u>1:15 – 3:15</u> Group A State Infrastructure Council 404H</p> <p>Education Council Morris Hall</p> <p><u>3:30 – 5:30</u> Group C State Resources Council Reed Hall</p> <p>State Administration Council Morris Hall</p> <p>TBA Reserved for Budget Conference Saturday Day 47 April 22, 2006 Reserved for Budget Conference Sunday Day 48 April 23, 2006 Reserved for Budget Conference</p>

3<sup>rd</sup> AMENDED

<b>Monday</b> <b>Day 49</b> <b>April 24, 2006</b>	<b>Tuesday</b> <b>Day 50</b> <b>April 25, 2006</b>	<b>Wednesday</b> <b>Day 51</b> <b>April 26, 2006</b>	<b>Thursday</b> <b>Day 52</b> <b>April 27, 2006</b>	<b>Friday</b> <b>Day 53</b> <b>April 28, 2006</b>
<p>Meeting Notice Due April 21, 2006</p> <p><u>8:00 – 9:00</u> Reserved for Budget Conference</p> <p><u>9:00 – 12:00</u> Commerce Council      404H</p>	<p>Meeting Notice Due April 24, 2006</p> <p><u>8:00 – 9:00</u> Reserved for Budget Conference</p> <p><u>9:00 – 10:00</u> Health &amp; Families Council                      Reed Hall</p> <p><u>10:30 – 5:00</u> <b>SESSION</b></p>	<p>Meeting Notice Due April 25, 2006</p> <p><u>8:00 – 9:00</u> Reserved for Budget Conference</p> <p><u>10:00 – 5:00</u> <b>SESSION</b></p>	<p>Meeting Notice Due April 26, 2006</p> <p><u>9:00 – 5:00</u> <b>SESSION</b></p>	<p>Meeting Notice Due April 27, 2006</p> <p><u>9:00 – 4:00</u> <b>SESSION</b></p>
12:00 – 1:00 LUNCH				
<p><u>1:00 – 5:00</u> <b>SESSION</b></p> <p><u>5:00 – 6:00</u> Reserved for Budget Conference</p>	<p><u>5:00 – 6:00</u> Reserved for Budget Conference</p>			

## IMPORTANT LEGISLATIVE DATES

### 2006

April 20	Last day for councils, committees, or subcommittees to meet after giving 2 days (excluding Saturday and Sunday) notice on bills (at least 1 day notice thereafter).	45 <sup>th</sup> Day [Rule 7.10(a)]
April 20	Last day on which councils, committee, or subcommittee amendments shall be filed by 5 p.m., 1 day (excluding Saturday and Sunday) in advance of council, committee, or subcommittee meeting by nonappointed members (2 hours thereafter).	45 <sup>th</sup> Day [Rule 7.22(c)]
April 20	After the 45 <sup>th</sup> day of a regular session, by a majority vote, the House may, on motion of the Chair or Vice Chair of the Rules & Calendar Council, move to Communications, Messages from the Senate, Bills and Joint Resolutions on Third Reading, or Special Orders.	45 <sup>th</sup> Day [Rule 10.2(d)]
April 21	All bills transmitted to the Senate forthwith	Last 14 Days [Rule 11.7(j)]
April 25	Last day the Chair of any conference committee shall give notice at least 2 hours prior to meeting; after the 50th day 1 hour notice of intention to meet.	50 <sup>th</sup> Day [Rule 7.24(b)]
April 30	Last day that main floor amendments must be approved for filing with the Clerk by 2 p.m. of the first day a bill appears on the Special Order Calendar in the Calendar of the House; and amendments to main floor amendments and substitute amendments for main floor amendments must be approved for filing by 5 p.m. of the same day.	55 <sup>th</sup> Day [Rule 12.2(a)(1&2)]
April 30	Last day of the regular session for the Special Order Calendar to be published in two Calendars of the House and maybe taken up on the day of the second published Calendar. After the 55 <sup>th</sup> day of the regular session, the Special Order Calendar shall be published in one Calendar of the House and may be taken up on the day the Calendar is published.	55 <sup>th</sup> Day [Rule 10.11(a) (3)]
May 1	A Senate bill may be referred by the Speaker to a council or to a committee and its council and such other committees as are deemed appropriate, after the 55 <sup>th</sup> day of a session.	56 <sup>th</sup> Day [Rule 6.3 (h)]
May 1	After the 55 <sup>th</sup> day of regular session no House bills on second reading may be taken up and considered by the House.	56 <sup>th</sup> Day [Rule 10.17]
May 1	After the 55 <sup>th</sup> day of regular session main floor amendments must be approved for filing with the Clerk not later than 2 hours before session is scheduled to convene on the day a bill appears on the Special Order Calendar in the Calendar of the House; and amendments to main floor amendments and substitute amendments must be approved for filing not later than 1 hour after the main floor amendment deadline.	56 <sup>th</sup> Day [Rule 12.2(b) (1&2)]
May 3	After the 58 <sup>th</sup> calendar day of regular session, the House may consider only: Senate Messages, Conference Reports, Concurrent Resolutions.	Last 2 Days [Rule 10.18]
May 5	<b>Last day of Regular Session, if Legislature completes work in 60 days</b>	

Assistive Listening Devices (ALDs) are provided in all House of Representatives meeting facilities. Persons with hearing disabilities may call the Property & Inventory Division of the Sergeant at Arms Office, 488-0235, for an auxiliary transmitting device if one is needed.

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## COUNCIL & COMMITTEE MEETINGS

PURSUANT TO RULE 7.4 (B), ITEMS MAY NOT NECESSARILY BE TAKEN UP IN THE ORDER IN WHICH THEY APPEAR ON THE AGENDA.

**Friday, April 21, 2006**

### **Education Council**

1:15 PM - 3:15 PM Morris Hall (17 HOB)

Consideration of the following bill(s):

- HB 119 CS by Zapata and others – Postsecondary Student Fees
- HJR 447 CS by Pickens, Hasner, Stargel and others – Requiring 65 Percent of Education Funds for Classroom Related Instruction; Flexible Class Size Reduction Implementation
- HB 665 by Troutman and others – Florida Virtual School
- HB 1373 CS by Attkisson and others – Supplemental Educational Services
- HJR 1573 CS by Rubio and others – Equal Opportunity to Obtain a High Quality Education
- HB 7097 CS by Community Colleges & Workforce Committee and others – Postsecondary Education
- HB 7171 CS by Choice & Innovation Committee and others – Charter Schools

**Fiscal Council**

11:15 AM - 1:00 PM 212 Knott Building

Consideration of the following bill(s):

HB 1473 CS by Hasner and others – Energy  
HB 857 by Mahon – Insurance Premium Tax  
HB 141 CS by Adams and others – Workers' Compensation for First Rependers  
HB 753 CS by Rivera and others – Deferral of Ad Valorem Property Taxes  
HJR 353 CS by Lopez-Cantera and others – Increase in Homestead Exemption  
HB 29 CS by Sansom and others – Tax on Sales, Use, and Other Transactions  
HB 69 CS by Meadows and others – Exemptions from the Tax on Sales, Use, and Other Transactions  
HB 237 CS by Berfield and others – Employment Requirements for Law Enforcement Personnel  
HB 241 CS by Vana and others – Florida KidCare Program  
HB 381 by Gibson, H. – Firefighter Pensions  
HB 421 (IF RECEIVED) by Reagan and others – Tax on Sales, Use, and Other Transactions  
HB 597 CS by Cannon and others – Contracting for Efficiency or Conservation Measures by State Agencies  
HB 897 CS by Davis, M. and others – Florida Retirement System  
HB 979 CS by Seiler – Property Tax Administration  
HB 1253 by Sobel and others – Broward County, Florida  
HB 1251 CS by Davis, D. and others – Firefighter and Municipal Police Pensions  
HB 1269 CS by Cusack – Local Occupational License Taxes  
HB 1431 CS by Cretul – Impact Fees  
HB 1623 CS by Bean and others – Youth and Young Adults with Disabilities  
HB 7109 by Finance & Tax Committee and others – Homestead Property Assessments  
HJR 7129 by Environmental Regulation Committee and others – Conservation and Protection of Natural Resources and Scenic Beauty, Including Fish and Wildlife  
HB 7173 by Future of Florida's Families Committee and others – Welfare of Children  
HB 7181 by State Administration Appropriations Committee and others – State Planning and Budgeting  
HB 7189 by Finance & Tax Committee and others – State Financial Matters  
HB 7197 by State Administration Appropriations Committee and others – Governmental Operations  
HB 7207 by Agriculture & Environment Appropriations Committee and others – Water Management Districts  
HB 7213 by Transportation & Economic Development Appropriations Committee and others – Quick Action Closing Fund  
HB 7235 by Judiciary Appropriations Committee and others – Continuing Implementation of Constitutional Revision 7 to Article V  
HB 1219 by Joyner and others – City of Tampa, Hillsborough County  
HB 891 by Goldstein and others – Local Occupational License Taxes  
HB 1311 CS by Troutman and others – Qualified Job-Training Organizations  
HB 1471 CS by Attkisson – Energy Diversity and Efficiency

HB 987 CS by Gottlieb and others – Tax on Sales, Use, and Other Transactions

HB 1245 by Sobel – North Broward Hospital District, Broward County

**Rules & Calendar Council**

11:00 AM - 11:15 AM or immediately upon adjournment of Session 404 HOB

To set Special Orders.

**State Administration Council**

3:30 PM - 5:30 PM Morris Hall (17 HOB)

Consideration of the following bill(s):

HB 755 CS by Clarke – Department of the Lottery  
HB 911 CS by Bullard – Use of State Facilities as Emergency Shelters  
HB 995 by Bean – Agency Inspectors General  
HB 1097 CS by Vana – Public Records  
HB 1123 CS by Sansom, Rubio, Cannon and others – Government Accountability  
HB 1125 CS by Sansom, Rubio, Cannon – Public Records  
HB 1161 by Machek – Okeechobee County  
HB 1165 CS by Barreiro – Florida Retirement System  
HB 1369 CS by Evers and others – Public Records and Public Meetings  
HB 1435 by Harrell – Division of Emergency Management of the Department of Community Affairs  
HB 1447 CS by Reagan – Issuance of Licenses and Development Permits  
HB 1563 CS by Kendrick and others – Public Records  
HB 7121 CS by Domestic Security Committee and others – Disaster Preparedness Response and Recovery  
HB 7155 by Governmental Operations Committee and others – State Financial Matters  
HB 7185 CS by Governmental Operations Committee and others – Procurement of Contractual Services by a State Agency  
HB 7221 by Ethics & Elections Committee and others – Campaign Financing  
HB 7223 by Governmental Operations Committee and others – Review under the Open Government Sunset Review Act regarding Medical Records and Health Records

**State Infrastructure Council**

1:15 PM - 3:15 PM 404 HOB

Consideration of the following bill(s):

HB 959 CS by Roberson – Motor Vehicle Safety Pilot Program  
HB 1049 CS by Traviesa and others – Driver's Licenses  
HB 1115 CS by Greenstein – South Florida Regional Transportation Authority  
HB 1117 CS by Greenstein – Public Records  
HB 1315 by Russell and others – Department of Transportation  
HB 1321 CS by Davis, D. and others – Entertainment Industry Economic Development  
HB 1357 CS by Altman – Growth Management  
HB 1363 CS by Davis, M. and others – Affordable Housing  
HB 7077 CS by Transportation Committee and others – Transportation  
HB 7079 by Transportation Committee and others – Highway Safety and Motor Vehicles  
HB 7167 CS by Growth Management Committee and others – Growth Management

**State Resources Council**

3:30 PM - 5:00 PM Reed Hall (102 HOB) (AMENDED[1])

Consideration of the following bill(s):

HB 229 CS by Clarke and others – Exploration, Production, and Storage of Petroleum and Natural Gas  
HB 471 CS by Troutman and others – Fish and Wildlife  
HB 507 CS by Kreegel and others – Exemptions from the Tax on Sales, Use, and Other Transactions  
HB 733 CS by Dean and others – Airboats  
HB 1039 CS by Garcia and others – Miami-Dade County Lake Belt Area  
HB 1347 CS by Williams and others – Land Management  
HB 1359 CS by Benson – Hazard Mitigation for Coastal Redevelopment  
HB 7075 CS by Agriculture Committee and others – Department of Agriculture and Consumer Services  
HB 7131 by Environmental Regulation Committee and others – Redevelopment of Brownfields

1. Call to Order
2. Prayer
3. Roll Call
4. Pledge of Allegiance
5. Correction of the Journal
6. Communications
7. Messages from the Senate
8. Reports of Councils and Standing Committees
9. Reports of Select Committees
10. Motions Relating to Council and Committee References
11. Matters on Reconsideration
12. Bills and Joint Resolutions on Third Reading

BILLS AND JOINT RESOLUTIONS ON THIRD READING

**HB 1497 by Sobel** (Similar SB 2830)

**Sunshine Water Control District, Broward County;** Repeals special act, the enacting law of the Sunshine Water Control District, Broward County and provides for incorporation thereof as an ordinance of the City of Coral Springs; provides for classification and status of the district; provides for election or appointment of supervisors; provides for approval of the budget of the district; provides for powers and responsibilities of the district; provides a ballot statement; provides for a referendum. Effective Date: contingent.

Read second time and amended April 19

**SB 1400 by Smith** (Similar HB 411)

**Psychotherapist-patient Privilege;** redefines term "psychotherapist" to include certain advanced registered nurse practitioners for purposes of psychotherapist-patient privilege of Florida Evidence Code. Amends 90.503. Effective Date: 07/01/2006

Read second time and amended April 20

**SB 542 by Jones, Lynn** (Identical HB 3)

**Birth-Related Neurological Injury;** requires administrative law judge to determine whether factual determinations re required

notice to obstetrical patients of participation in plan are satisfied; provides exclusive jurisdiction to make such determinations; provides legislative intent; authorizes State Board of Administration to invest & reinvest funds held on behalf of plan pursuant to certain requirements. Amends 766.309,.315. Effective Date: Upon becoming law

Read second time April 20

**HB 1027 by Hasner, Coley, Allen, Altman, Baxley, Benson, Berfield, Bilirakis, Bogdanoff, Brutus, Bullard, Carroll, Davis, M., Domino, Farkas, Flores, Garcia, Glorioso, Goldstein, Grant, Greenstein, Harrell, Hays, Homan, Jordan, Kendrick, Llorente, Lopez-Cantera, Meadows, Peterman, Proctor, Quinones, Richardson, Rivera, Sands, Sansom, Sobel, Stargel, Traviesa, Williams, Zapata** (Compare CS/CS/CS/SB 1826)

**Biomedical Research;** Provides legislative intent; authorizes the use of funds in the Biomedical Research Trust Fund for the purposes of the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; provides for deposit of certain proceeds of the Lawton Chiles Endowment Fund into the Biomedical Research Trust Fund for purposes of the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; revises the membership and the method for appointing members to the Biomedical Research Advisory Council; requires the council to award grants for cancer research through the William G. "Bill"

Bankhead, Jr., and David Coley Cancer Research Program; provides for the repeal of the James and Esther King Biomedical Research Program; requires the Legislature to review the program prior to the repeal; provides for transition to new appointments; revises the membership of the advisory council for the Florida Center for Universal Research to Eradicate Disease; provides for terms of office and the filling of vacancies; provides for officers, meetings, and procedures; provides for transition to new appointments; revises a goal of the Florida Cancer Council; establishes the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program within the Department of Health; provides the purpose of the program; requires the program to provide grants for cancer research; provides procedures for awarding cancer research grants; provides for peer review panels; provides requirements with respect to ethical conduct and conflicts of interest; provides for public records and meetings; requires an annual report; provides for the repeal of William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; requires the Legislature to review the program prior to the repeal; revises the purpose, duties, and authority of the Florida Public Health Foundation, Inc.; revises the membership of the board of directors of the corporation; provides for the Governor to certify certain funds for a certain number of years; redistributes certain funds collected from taxes on alcoholic beverages; requires certain information in the annual report; requires an annual operating budget; provides procedures for awarding of Alzheimer's disease research grants; provides for peer review panels; provides requirements with respect to ethical conduct and conflicts of interest; provides for public records and meetings; provides for the repeal of Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; requires the Legislature to review the center and institute prior to the repeal; provides appropriations. Effective Date: upon this act becoming a law, this act shall take effect July 1, 2006.

Read second time and amended April 20

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**CS for SB 264 by Government Efficiency Appropriations, Fasano, Crist, Atwater** (Identical HB 157 CS)

**Homestead Assessments;** provides additional criterion for determining no change in ownership of homestead property for homestead assessment purposes; specifies condition for change in ownership. Amends 193.155. Effective Date: 07/01/2006

Read second time April 20

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**SB 496 by Argenziano, Fasano** (Identical HB 341)

**Citrus/Hernando Waterways Council;** revises membership, powers, & duties of Citrus/Hernando Waterways Restoration Council; revises membership of separate county task forces of council. Effective Date: Upon becoming law

Read second time April 20

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**HB 61 by Quinones, Bogdanoff, Antone, Brandenburg, Bullard, Homan, Joyner, Porth, Zapata** (Compare HB 71, SB 186)

**Testing of DNA Evidence;** Revises the circumstances under which a person who has been sentenced for committing a felony may petition the court for postsentencing testing of DNA evidence; abolishes certain time limitations imposed upon such testing; authorizes a governmental entity to dispose of physical evidence if the sentence imposed has expired and another law or rule does not require that the evidence be retained; provides for postsentencing

DNA testing under specified circumstances; requires a court to make specified inquiries of a defendant seeking to enter a plea of guilty or nolo contendere to a felony; provides legislative intent that the Supreme Court adopt certain rules; provides that a postponement for specified reasons be considered attributable to the defendant for speedy trial purposes; repeals a specified Florida Rule of Criminal Procedure; provides retroactive and certain contingent effect. Effective Date: upon becoming a law, but section 3 shall take effect only if this act is passed by the affirmative vote of two-thirds of the membership of each house of the Legislature.

Read second time and amended April 20

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**HB 687 by Adams, Clarke** (Similar CS/SB 1162)

**Public Records;** Creates an exemption from public records requirements for certain personal identifying information held by the Division of Licensing of the Department of Agriculture and Consumer Services; provides for retroactive application of the exemption; provides for disclosure of such information under specified conditions; provides for review and repeal; provides a statement of public necessity. Effective Date: July 1, 2006.

Read second time and amended April 20

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**CS for SB 1170 by Judiciary, Aronberg** (Similar HB 425 CS, Compare HB 191, SB 356)

**Florida Trust Code;** creates "Florida Trust Code"; provides general provisions & definitions; provides for judicial proceedings; provides for creation, validity, modification, & termination of trusts; provides for spendthrift, discretionary, & revocable trusts; provides for liability of trustee & rights of persons dealing with trustee; abolishes worthier title doctrine; provides construction of certain instrument language, etc. Amends FS. Effective Date: 07/01/2007

Read second time April 20

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**CS for SB 1620 by Banking and Insurance, Haridopolos** (Identical HB 649 CS)

**Warranty Associations;** prohibits motor vehicle service agreement company from investing or lending company funds for specified purposes; prohibits home warranty association from investing or lending association funds for specified purposes; specifies additional requirement for contractual liability insurance purchased by home warranty association; specifies cancellation requirements for home warranty contracts, etc. Amends Ch. 634; creates 634.042, .3076, .4062; repeals 634.345. Effective Date: 07/01/2006

Read second time and amended April 20

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**HB 795 by Flores, Antone, Bendross-Mindingall, Bucher, Homan, Llorente, Porth, Zapata** (Compare HB 119 CS, CS/SB 366, CS/SB 1750)

**Student Financial Assistance;** Creates the First Generation Matching Grant Program to provide financial aid to undergraduate students with financial need whose parents have not earned a baccalaureate degree; provides for appropriation, allocation, and distribution of funds; provides student eligibility requirements; provides an out-of-state student fee exemption and eligibility

criteria therefor; limits participation in the exemption program.  
Effective Date: July 1, 2006.

Read second time April 20

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**HB 55 by Smith, Bucher, Bullard, Richardson, Roberson, Sands, Seiler, Taylor** (Identical SB 432)

**Restoration of Civil Rights;** Requires that the administrator of a county detention facility provide an application form for the

restoration of civil rights to a prisoner who has been convicted of a felony and is serving a sentence in that facility; authorizes the use of volunteers to assist the prisoner in completing the application; provides that this act does not apply to prisoners who are transferred to the Department of Corrections. Effective Date: July 1, 2006.

Read second time April 20

### 13. Special Orders

#### SPECIAL ORDER CALENDAR FOR FRIDAY, APRIL 21, 2006

(As Reported by the Rules and Calendar Council on Wednesday, April 19, 2006)

##### I. Consideration of the following bills:

**HB 7259 CS by Judiciary Committee, Simmons, Murzin**  
(Compare SB 2304)

**Class Action Lawsuits;** Provides requirements for capacity to file a class action; limits actions to Florida residents; provides exceptions; eliminates private class action recovery of statutory penalties in certain actions unless actual damages are alleged and proven; provides that the Attorney General's ability to seek statutory penalties is not affected; provides for availability of nonmonetary relief; provides no effect on class action lawsuits involving civil rights laws. Effective Date: July 1, 2006.

Justice Council: Favorable With Committee Substitute

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**HB 1155 by Evers** (Identical SB 2174)

**Contaminated Drycleaning Facilities;** Provides that contaminated drycleaning facilities damaged by accident prior to a specified date are eligible for state-funded site rehabilitation; defines the term "accident" for purposes of the act. Effective Date: upon becoming a law.

Environmental Regulation Committee: Favorable; Agriculture & Environment Appropriations Committee: Favorable; State Resources Council: Favorable

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**HB 415 CS by Quinones, Allen, Altman, Baxley, Carroll, Hasner, Stargel, Zapata** (Similar CS/SB 962, Compare HB 77, SB 96)

**Tax on Sales, Use, and Other Transactions;** Deletes an exception to an exemption from the tax for research or development costs; deletes provisions providing an exemption on account of use for machinery and equipment used for research and development; revises provisions for application for the exemption; specifies the term of validity of an exemption certification; provides for biennial renewal of certifications; deletes a limitation on number of exemption applications by a business in a year; exempts machinery and equipment used predominantly for research and development activities; authorizes the Department of Revenue to adopt rules administering and implementing the exemption; provides requirements and procedures for claiming the exemption; requires an affidavit to be given by a taxpayer claiming entitlement to the exemption; provides penalties for fraudulently claiming the

exemption; provides recordkeeping requirements. Effective Date: July 1, 2006.

Spaceport & Technology Committee: Favorable; Finance & Tax Committee: Favorable With Committee Substitute; State Infrastructure Council: Favorable With Committee Substitute

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**HB 1489 CS by Waters, Adams, Altman, Farkas, Gannon, Goodlette, Hasner, Holloway, Murzin, Needelman, Poppell, Russell, Sansom, Zapata** (Similar CS/CS/SB 2580, Compare HB 7149)

**State's Aerospace Industry;** Redesignates the Florida Space Authority as Space Florida and revises and consolidates the roles, purposes, responsibilities, assets, and duties of the Florida Space Authority as those of Space Florida; establishes Space Florida as an independent special district, a body politic and corporate, for specified purposes; deletes authority to establish facilities and complementary activities; provides additional responsibilities of Space Florida; prohibits Space Florida from endorsing political candidates or making campaign contributions; characterizes specified property as Space Florida territory; deletes references to specified property as spaceport territory; provides additional powers and responsibilities of Space Florida relating to the state's aerospace industry; deletes authority to exercise eminent domain powers; replaces provisions providing for a board of supervisors with provisions providing for a board of directors of Space Florida; provides financial disclosure requirements; expands the exemption from the sales and use tax on specified machinery and equipment; requires the Department of Education to establish the Florida Center for Mathematics and Science Research at a public state university; specifies requirements for the center; repeals provisions relating to exclusive authority of the Florida Space Authority to regulate spaceports, the Spaceport Management Council, and the Florida Space Research Institute; requires the Florida Space Authority, the Florida Space Research Institute, and the Florida Aerospace Finance Corporation file articles of dissolution with the Department of State by a specified date; provides that Space Florida assumes the records, property, and unexpended balances of appropriations, allocations, and other funds from the dissolved entities; requires the Governor, the President of the Senate, and the Speaker of the House of Representatives to appoint the board of directors of Space Florida by a specified date; requires the board of directors of Space Florida to hold its first meeting by a specified date; requires the Florida Commission on Tourism to advise and cooperate with Space Florida; requires Enterprise Florida, Inc., Workforce Florida, Inc., and the Commissioner of Education to

enter into agreement with Space Florida. Effective Date: upon becoming a law.

Spaceport & Technology Committee: Favorable With Committee Substitute; Fiscal Council: Favorable With Committee Substitute; State Infrastructure Council: Favorable With Committee Substitute

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**HB 673 CS by Stargel** (Compare SB 636)

**Residential Tenancies;** Revises and provides definitions; allows a landlord to terminate a rental agreement and recover liquidated damages for breach of the agreement or charge the tenant an early termination fee, or both, under certain circumstances; provides a limit on the combined total damages and fee; specifies liability of the tenant for rent, other charges otherwise due, and rental concessions under certain circumstances; provides application. Effective Date: upon becoming a law and shall apply to any rental agreement entered into prior to the effective date of this act in which the parties agreed to the remedies authorized in this act.

Civil Justice Committee: Favorable With Committee Substitute; Business Regulation Committee: Favorable With Committee Substitute; Justice Council: Favorable

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「 **HB 903 CS by Traviesa** (Similar CS/SB 1838) 7

**Pharmacy Common Databases;** Deletes a provision authorizing certain community pharmacies to transfer prescriptions for Schedule II medicinal drugs under certain conditions; authorizes the dispensing of a prescription contained in a common database under specified conditions; provides requirements for a policy and procedures manual that governs pharmacies, pharmacists, and pharmacy employees participating in a pharmacy common database; provides for rights and obligations of pharmacists dispensing prescriptions. Effective Date: July 1, 2006.

Health Care Regulation Committee: Favorable; Health Care Appropriations Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

**CS for SB 1838 by Health Care, Haridopolos** (Similar HB 903 CS)

**Pharmacy Common Databases;** deletes provision authorizing certain community pharmacies to transfer prescriptions for Schedule II medicinal drugs under certain conditions; authorizes dispensing or refilling of prescription without transferred prescription under specified conditions. Amends 465.026; creates 465.0266. Effective Date: 07/01/2006

「 Health & Families Council: Favorable With Amendments 7

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**HB 483 CS by Garcia, Ambler, Cusack, Grimsley, Homan, Kreegel, Proctor, Roberson** (Similar CS/SB 1362)

**Nursing Services;** Requires hospitals to meet the requirements of a federal regulation relating to registered nurses performing circulating duties in operating rooms; requires circulating nurses to be present in operating rooms during specified times. Effective Date: July 1, 2006.

Health Care Regulation Committee: Favorable; Insurance Committee: Favorable; Health Care Appropriations Committee:

Favorable; Health & Families Council: Favorable With Committee Substitute

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**HB 263 CS by Mealor, Zapata** (Compare CS/CS/SB 550)

**Florida Prepaid College Program;** Renames the Florida Prepaid College Program; deletes a restriction on the types of postsecondary educational institutions to which a qualified beneficiary may apply his or her benefits under the program; requires certain advertisements to contain a disclaimer regarding the program. Effective Date: July 1, 2006.

Colleges & Universities Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable With Committee Substitute

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**HB 293 CS by Pickens, Brown, Ausley, Bean, Coley, Cretul, Gibson, H., Grimsley, Jennings, Kendrick, Kreegel, Machek, Murzin, Proctor, Richardson, Stansel, Troutman, Waters** (Similar CS/SB 1612, Compare HB 335 CS, HB 5019)

**Fiscally Constrained Counties;** Provides for a distribution of tax revenue to fiscally constrained counties; provides for a transitional emergency distribution from the Local Government Half-cent Sales Tax Clearing Trust Fund to certain fiscally constrained counties; revises criteria for receiving certain funds from the Local Government Half-cent Sales Tax Clearing Trust Fund; provides eligibility criteria to qualify as a fiscally constrained county; provides for the distribution of additional funds to certain fiscally constrained counties; provides for a phaseout period; provides for the use of funds; revises the definition of the term "fiscally constrained county" applicable to shared county and state responsibility for juvenile detention. Effective Date: July 1, 2006.

Finance & Tax Committee: Favorable; Local Government Council: Favorable; Fiscal Council: Favorable With Committee Substitute

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**HB 7183 by Finance & Tax Committee, Brummer** (Similar SB 2676)

**Property Tax Exemptions;** Exempts from ad valorem taxation property owned by an organization exempt from federal income taxes and used to display aspects of Biblical history. Effective Date: July 1, 2006.

Fiscal Council: Favorable

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**HB 585 CS by Hukill, Porth, Seiler** (Similar CS/SB 1622)

**Inmate Litigation Costs;** Requires the Department of Corrections to charge inmates for specified costs relating to inmate litigation; authorizes liens on inmate trust funds; requires rulemaking; provides intent. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

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**HB 283 CS by Kreegel, Allen, Porth, Troutman** (Similar SB 690)

**Correctional Probation Officers;** Requires the Department of Corrections to provide a standardized firearm and ammunition to correctional probation officers; provides rulemaking authority of

the department; provides an appropriation. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable With Committee Substitute; Justice Council: Favorable

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**HB 599 CS by Cannon, Carroll, Hays, McInvale, Stargel, Traviesa** (Similar CS/SB 1232)

**Florida Faith-based and Community-based Advisory Council;** Creates the Florida Faith-based and Community-based Advisory Council within the Executive Office of the Governor for specified purposes; provides for council membership; provides for terms of members; provides for successor appointments; provides for meetings and organization of the council; specifies serving without compensation; provides for per diem and travel expenses; specifies required activities of the council; specifies restricted activities; requires a report to the Governor and Legislature; provides for future repeal and abolition of the council. Effective Date: July 1, 2006.

Future of Florida's Families Committee: Favorable; Transportation & Economic Development Appropriations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

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**HB 299 CS by Sobel, Hasner, Bucher, Bullard, Gannon, Garcia, Gelber, Porth, Roberson, Ryan, Sands, Zapata** (Similar CS/SB 764)

**Travel-Limited Life Insurance Coverage;** Specifies prohibited activities by insurers for life insurance coverage relating to lawful travel experiences or plans; authorizes the Financial Services Commission to adopt rules and provide limited exceptions based on emergency conditions and public policy; requires market conduct examinations of life insurers to include a review of applications; provides for trebling specified administrative fines for specified violations; requires the Office of Insurance Regulation to report annually to the Legislature; provides report requirements. Effective Date: July 1, 2006.

Insurance Committee: Favorable With Committee Substitute; Tourism Committee: Favorable; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; Commerce Council: Favorable With Committee Substitute

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「 **HB 7125 CS by Health Care Regulation Committee, Garcia** (Similar SB 1408) 」

**Medical Records;** Requires a health care practitioner's employer who is a records owner and a records custodian to comply with specified requirements for confidentiality and disclosure; provides requirements for prescriptions of medicinal drugs by health care practitioners that are electronically generated and transmitted; regulates electronic prescribing for medicinal drugs; provides restrictions for electronic prescribing software; authorizes electronic prescribing software to show information regarding a payor's formulary under certain circumstances; provides that payors or providers are not limited from implementing utilization management tools; specifies requirements for a prescriber to prevent generic substitution for brand name drugs when a prescription is electronically transmitted and generated. Effective Date: July 1, 2006.

Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

**SB 1408 by Health Care** (Similar HB 7125 CS)

**Medical Records;** requires health care practitioner's employer who is records owner & records custodian to comply with specified requirements for confidentiality & disclosure; provides requirements for prescriptions of medicinal drugs by said practitioners which are electronically generated or transmitted; regulates electronic prescribing for said drugs; provides restrictions for electronic prescribing software, etc. Amends Ch. 456. Effective Date: 07/01/2006

「 Calendar without reference 」

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**HB 1171 by Rivera, Kravitz, Planas, Zapata** (Identical SB 2434)

**Travel to Terrorist States;** Prohibits the use of funds from the Community College Program Fund, or funds made available to community colleges from outside the fund, to implement, organize, direct, coordinate, or administer activities related to or involving travel to a terrorist state; prohibits the use of state or nonstate funds made available to state universities to implement, organize, direct, coordinate, or administer activities related to or involving travel to a terrorist state; provides that travel expenses of public officers or employees for the purpose of implementing, organizing, directing, coordinating, or administering activities related to or involving travel to a terrorist state shall not be allowed under any circumstances; defines "terrorist state." Effective Date: July 1, 2006.

Community Colleges & Workforce Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable

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**HB 7145 CS by Domestic Security Committee, Adams, Zapata** (Similar CS/CS/SB 190, Compare HB 7147)

**Seaport Security;** Creates and revises provisions of law relating to seaport security; requires each seaport authority or governing board of a seaport that is subject to the statewide minimum seaport security standards to designate and mark security area designations, access requirements, and security enforcement authorizations on seaport premises and in seaport security plans; provides that any part of a port's property may be designated as a restricted access area under certain conditions; revises purpose of security plans maintained by seaports; requires periodic plan revisions; requires plans to be inspected for compliance by the Office of Drug Control and the Department of Law Enforcement based upon specified standards; provides requirements with respect to protection standards in specified restricted areas; requires delivery of the plan to specified entities; requires the Florida Department of Law Enforcement to inspect every seaport within the state to determine if all security measures adopted by the seaport are in compliance with seaport security standards; requires a report; authorizes seaports to request review by the Domestic Security Oversight Council of the findings in a Department of Law Enforcement inspection report; limits the findings which the council is authorized to review; requires the Department of Law Enforcement to establish by rule a waiver process to grant certain individuals unescorted access to seaports or restricted access areas under certain circumstances; provides waiver process requirements; requires the administrative staff of the Parole Commission to review the waiver application and

transmit the findings to the department; requires the department to make a final disposition of the application and notify the applicant and the seaport; provides procedures and requirements with respect to waiver of any physical facility or other requirement contained in the statewide minimum standards for seaport security; provides a penalty for possession of a concealed weapon while on seaport property in a designated restricted area; creates the Seaport Security Standards Advisory Council under the Office of Drug Control; provides membership, terms, organization, and meetings of the council; requires the Office of Drug Control to convene the Seaport Security Standards Advisory Council to review the statewide minimum standards for seaport security; requires periodic review of the statewide minimum standards for seaport security to be conducted by the council; provides legislative intent with respect to the employment by seaports of certified law enforcement officers and certified private security officers; provides authority of seaports and requirements of the Department of Law Enforcement with respect to such intent; requires the authority or governing board of each seaport which is subject to statewide minimum seaport security standards to impose specified requirements for certification as a seaport security officer; creates the Seaport Security Officer Qualification, Training and Standards Coordinating Council under the Department of Law Enforcement; provides membership and organization of the council; provides terms of members; provides duties and authority of the council; requires the Department of Education to develop curriculum recommendations and specifications of the council into initial and continuing education and training programs for seaport security officer certification; provides requirements and procedures with respect to such training programs; provides requirements and procedures with respect to certification as a seaport security officer; provides requirements for renewal of inactive or revoked certification; authorizes each seaport in the state to create a seaport law enforcement agency for its facility; provides requirements of an agency; requires certification of an agency; provides requirements

with respect to the composition of agency personnel; provides powers of seaport law enforcement agency officers and seaport security officers; provides for the creation of a maritime domain security awareness training program; provides purpose of the program; provides program training curriculum requirements; provides authority of seaport security officers to detain persons suspected of trespassing in a designated restricted area of a seaport; provides immunity from specified criminal or civil liability; provides a criminal penalty for willfully and knowingly providing false information in obtaining or attempting to obtain a seaport security identification card. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Transportation Committee: Favorable; State Administration Council: Favorable With Committee Substitute

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**HB 737 CS by Grant, Brandenburg, Clarke, Fields** (Identical CS/CS/SB 1018, Compare SB 1484)

**Tax Benefits Related to Catastrophic Emergencies;** Includes as infrastructure any fixed capital expenditure or fixed capital outlay associated with the improvement of private facilities made available as public shelters or staging areas for emergency response equipment during emergencies declared by the state or local government; limits improvements to those necessary to meet current standards for public emergency evacuation shelters; requires the owner to enter into a written contract with the local government providing improvement funding. Effective Date: July 1, 2006.

Domestic Security Committee: Favorable With Committee Substitute; Local Government Council: Favorable; Finance & Tax Committee: Favorable; State Administration Council: Favorable

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#### **14. House Resolutions**

#### **15. Unfinished Business**

#### **16. Introduction and Reference**

**END OF DAILY ORDER OF BUSINESS**

(As Reported by the Rules and Calendar Council on Thursday, April 20, 2006)

**I. Consideration of the following bills originally on the Special Order for Thursday, April 20, 2006:**

**HB 285** by Needelman, Altman, Baxley, Clarke, Culp, Harrell, Kendrick, Kreegel, Legg, Murzin, Stansel (Similar CS/SB 568, Identical SB 590)

**Emergency Management;** Provides construction with respect to the seizure, taking, or confiscation of firearms during a local state of emergency or an emergency that is beyond local control. Effective Date: upon becoming a law.

Domestic Security Committee: Favorable; Judiciary Committee: Favorable; State Administration Council: Favorable

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**HB 805 CS** by Benson, Gannon (Similar CS/SB 1274)

**Plans, Policies, Contracts, and Programs for the Provision of Health Care Services;** Revises eligibility requirements for participation in health flex plans; requires an identification card containing specified information to be given to insureds who have health and accident insurance, insureds under group health insurance policies, and persons having health care services through a health maintenance contract. Effective Date: January 1, 2007, and shall apply to identification cards issued for policies or certificates issued or renewed on or after that date.

Insurance Committee: Favorable With Committee Substitute; Health Care Regulation Committee: Favorable With Committee Substitute; Commerce Council: Favorable With Committee Substitute

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**HB 1145 CS** by Evers, Arza, Benson, Goldstein, Hukill, Kendrick, Traviesa (Compare SB 1494)

**Official State Designations;** Designates an official state motto; designates the future Admiral John H. Fetterman State of Florida Maritime Museum and Research Center in Pensacola as the official state maritime museum and provides for the future review and repeal of the designation. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable; State Administration Council: Favorable With Committee Substitute

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**HR 1627** by Kyle

**Unanimity of Jury Recommendations in Death Penalty Cases;** Declares the House of Representatives' view of what the state's public policy regarding unanimity of jury recommendations in death penalty cases should be.

Criminal Justice Committee: Favorable; Justice Council: Favorable

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**HB 7151** by Civil Justice Committee, Mahon (Compare SB 408)

**Adoption;** Requires a petitioner in a proceeding for termination of parental rights to provide notice to the Office of Vital Statistics of the Department of Health; prohibits the office from recording a claim of paternity after the date that a termination of parental rights is filed; requires the department to remove a registrant's name from

the Florida Putative Father Registry upon a finding that the registrant has no parental rights; modifies consent required for adoption; provides that the interest that entitles a person to notice of an adoption must be direct, financial, and immediate; provides an exception; provides that a showing of an indirect, inconsequential, or contingent interest is wholly inadequate; provides construction and applicability. Effective Date: upon becoming a law.

Future of Florida's Families Committee: Favorable; Justice Council: Favorable

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**HB 7175 CS** by Environmental Regulation Committee, Needelman (Similar CS/CS/SB 2128)

**Vessels;** Authorizes the use of certain funds for local boating related projects and activities; authorizes marina owners, operators, employees, and agents to take actions to secure vessels during severe weather and to charge fees and be held harmless for such service; holds marina operators, employees, and agents liable for damage caused by intentional acts or negligence while removing or securing vessels; authorizes contract provisions and provides contract notice requirements relating to removing or securing vessels; provides for local regulation of anchoring within mooring fields; requires the Department of Highway Safety and Motor Vehicles to provide forms for certain notification related to vessels; requires the department to provide by rule for the surrender and replacement of certificates of registration to reflect change of address; requires counties to use funds for specific boating related purposes; requires counties to provide reports demonstrating specified expenditure of such funds; provides penalties for failure to comply; authorizes the distribution of revenues from the Florida Coastal Protection Trust Fund to all local governments for the removal of certain vessels; revises provisions relating to the removal of abandoned and derelict vessels; specifies officers authorized to remove such vessels; provides that certain costs are recoverable; requires the Department of Legal Affairs to represent the Fish and Wildlife Conservation Commission in certain actions; expands eligibility for disbursement of grant funds for the removal of certain vessels; provides exemptions from permitting, registration, and regulation of floating vessel platforms or floating boat lifts by a local government; authorizes local governments to require certain permits or registration for floating vessel platforms or floating boat lifts under certain circumstances; revises the definition of "abandoned property" to include certain vessels; revises the terminology relating to abandoned or lost property to conform; revises provisions relating to abandoned and derelict vessels and the removal of such vessels; provides a definition of "derelict vessel"; specifies which officers may remove such vessels; directs the Fish and Wildlife Conservation Commission to implement a plan for the procurement of federal funds for the removal of derelict vessels; requires the Department of Legal Affairs to represent the commission in certain actions; deletes a provision authorizing the commission to delegate certain authority to local governments under certain circumstances; authorizes private property owners to remove certain vessels with required notice; provides that cost of such removal is recoverable; prohibits private property owners from hindering the removal of certain vessels by vessel owners or agents; provides for jurisdictional imposition of civil penalties for violations relating to certain vessels. Effective Date: July 1, 2006.

State Resources Council: Favorable With Committee Substitute

**HB 7205 by Criminal Justice Committee, Kravitz** (Identical SB 1904)

**Death Penalty;** Repeals Rule 3.203, Florida Rules of Criminal Procedure, relating to a defendant's mental retardation as a bar to imposition of the death penalty. Effective Date: upon becoming a law, but only if this act is enacted by a two-thirds vote of the membership of each house of the Legislature.

Justice Council: Favorable

「**HB 255 CS by Troutman, Antone, Bucher, Davis, M., Fields, Gannon, Kendrick, Machek, Robaina** (Similar CS/CS/SB 258)

**Farm Labor Vehicles;** Revises provisions for transportation of farm labor to provide vehicle safety standards and require certain safety equipment, stickers, and signs in vehicles transporting farm labor; requires the Department of Highway Safety and Motor Vehicles to provide copies of certain accident reports to the Department of Business and Professional Regulation; provides penalties for violations; provides for disposition and use of the proceeds from the penalties imposed. Effective Date: July 1, 2006.

Agriculture Committee: Favorable With Committee Substitute;  
Transportation Committee: Favorable With Committee Substitute;  
State Resources Council: Favorable With Committee Substitute

**CS for CS for SB 258 by Transportation and Economic Development Appropriations, Transportation, Alexander, Aronberg, Hill, Atwater** (Similar HB 255 CS)

**Farm Labor Vehicles;** repeals provision re transportation of migrant farm workers; requires owners & operators of farm labor vehicles to conform such vehicles to certain standards; requires seat belts at each passenger position in certain vehicles; requires certain operators to display prescribed stickers on their vehicles; provides presumption for injuries sustained by worker in vehicle, etc. Amends Ch. 316, 318.18, 320.38, 322.031, 450.181,.28,.33. Effective Date: 07/01/2006

「 Calendar without reference

「**HB 7085 by Domestic Security Committee, Adams** (Identical SB 1756)

**Succession to the Office of Governor;** Revises the provision of law specifying the authorized successors to the office of Governor and their order or succession. Effective Date: upon becoming a law.

Governmental Operations Committee: Favorable; State Administration Council: Favorable

**SB 1756 by Sebesta** (Identical HB 7085)

**Office of Governor/Succession;** deletes Secretary of State, Comptroller, Treasurer, & Commissioner of Education from order of succession to office of Governor; provides that Chief Financial Officer shall become Governor upon vacancies in offices of

Governor, Lieutenant Governor, & Attorney General. Amends 14.055. Effective Date: Upon becoming law

「 Calendar without reference

**HB 761 by Carroll, Bean, Clarke, Davis, M., Joyner, Kreegel, Porth, Proctor, Reagan, Waters** (Identical SB 488, Compare HB 337)

**Trespass on the Property of a Certified Domestic Violence Center;** Provides that a person commits a felony of the third degree if he or she trespasses on the property of a domestic violence center meeting specified requirements. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable; Future of Florida's Families Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

**HB 947 CS by Legg, Flores, Grant, Grimsley, Homan, Proctor, Reagan** (Similar CS/SB 1924)

**Long-Term Care Coverage;** Directs the Agency for Health Care Administration to amend the Medicaid state plan that established the Florida Long-Term Care Partnership Program for purposes of compliance with provisions of the Social Security Act; establishes a qualified state Long-Term Care Insurance Partnership Program in Florida; provides duties of the program; requires consultation with the Office of Insurance Regulation and the Department of Children and Family Services for the creation of standards for certain information; provides rulemaking authority to the agency for implementation of s. 409.9102, F.S.; provides rulemaking authority to the department regarding determination of eligibility for certain services; provides rulemaking authority to the Financial Services Commission for the implementation of the program; repeals provisions of law to delete conflicting provisions relating to the determination of eligibility for nursing and rehabilitative services and the establishment of the Florida Long-Term Care Partnership Program that were contingent upon amendment to the Social Security Act and to delete the contingency in an effective date; requires the Office of Program Policy Analysis and Government Accountability to submit a report on the implementation of a qualified state Long-Term Care Insurance Partnership Program in Florida to the Governor and Legislature. Effective Date: upon becoming a law.

Elder & Long-Term Care Committee: Favorable With Committee Substitute; Insurance Committee: Favorable; Health Care Appropriations Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

**HB 1221 by Cannon, Arza** (Similar CS/SB 2252)

**District School Boards;** Provides an alternate procedure for the election of a district school board chair in any school district that does not have a district school board member elected at large; requires a referendum and provides requirements for submitting such referendum to the electors; provides for resolution of a tie vote by the district school board chair and district school board members. Effective Date: July 1, 2006.

PreK-12 Committee: Favorable; Education Council: Favorable

**HB 7089 by Tourism Committee, Detert, Bogdanoff, Fields, Mealor, Seiler** (Similar CS/SB 1886, Compare SB 1002)

**Facilities for Retained Spring Training Franchises;** Revises a limitation on distributions to certified facilities for a retained spring training franchise; deletes a provision entitling an applicant to receive distributions without additional certification; requires the Office of Tourism, Trade, and Economic Development to competitively evaluate applications for funding of additional facilities; provides application and certification requirements; specifies evaluation criteria; revises the number of certifications of such facilities. Effective Date: July 1, 2006.

Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable

**HB 871 CS by Ryan, Homan, Justice, Slosberg** (Identical CS/CS/SB 1488)

**Telephone Calling Records;** Prohibits a person from obtaining or attempting to obtain the calling record of another person by making false or fraudulent statements or providing false or fraudulent documents to a telecommunications company or by selling or offering to sell a calling record that was obtained in a fraudulent manner; provides that it is a first-degree misdemeanor to commit a first violation and a third-degree felony to commit a second or subsequent violation; provides penalties; provides that it is not a violation of the act for a law enforcement agency or telecommunications company to obtain calling records for specified purposes. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Utilities & Telecommunications Committee: Favorable; Justice Council: Favorable

「 **HB 375 CS by Barreiro, Roberson** (Identical CS/SB 738) 」

**Motor Vehicle Registration Forms;** Requires that the application form be revised to allow each applicant to make a contribution to the Miami Heart Research Institute, Inc. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable With Committee Substitute

**CS for SB 738 by Health Care, Diaz de la Portilla, Bullard** (Identical HB 375 CS)

**Motor Vehicle Registration Forms;** requires application form to be revised to allow each applicant to make contribution to Miami Heart Research Institute, Inc., doing business as Fla. Heart Research Institute. Amends 320.02. Effective Date: 07/01/2006

「 Calendar without reference 」

**HB 147 by Kravitz, Hasner** (Identical SB 658)

**Criminal Prosecutions;** Revises the rights of the prosecution during closing arguments; repeals Rule 3.250, Florida Rules of Criminal Procedure, to the extent inconsistent with the act. Effective Date: upon becoming a law, except that section 2 of this

act shall take effect only if this act passed by a two-thirds vote of the membership of each house of the Legislature.

Criminal Justice Committee: Favorable; Justice Council: Favorable

**HB 25 by Negron, Berfield, Kottkamp** (Similar SB 2622)

**Violent Felony Offenders;** Authorizes citation as the "Anti-Murder Act"; prohibits bail or other pretrial release for specified violent felony offenders of special concern without a hearing; provides definitions; provides that certain alleged violations of probation or community control by violent felony offenders of special concern require hearings and require the alleged offenders to remain in custody pending hearing; provides requirements for such hearings; revises Criminal Punishment Code worksheet computations to provide additional community sanction violation points for certain community sanction violations committed by violent felony offenders of special concern. Effective Date: July 1, 2006.

Criminal Justice Appropriations Committee: Favorable; Criminal Justice Committee: Favorable; Fiscal Council: Favorable

**HB 5043 by Fiscal Council, Negron** (Similar CS/SB 826)

**Trust Funds;** Terminates certain specified trust funds within the Department of Agriculture and Consumer Services and transfers the funds to other trust funds in the department; renames certain specified trust funds within the Department of Agriculture and Consumer Services, the Department of the Lottery, and the Division of Administrative Hearings in the Department of Management Services; transfers certain accounts within the Grants and Donations Trust Fund of the Department of Management Services to the Operating Trust Fund of the Department of Management Services; conforms certain provisions to changes made by the act; reenacts provisions relating to charity racing days, to incorporate the amendments made to s. 550.2625, F.S., in a reference thereto; reenacts provisions relating to exempting the Justice Administrative Commission from certain fees and authorizes the use of the on-line procurement system of the Department of Agriculture and Consumer Services, respectively, to incorporate the amendments made to s. 287.057, F.S., in references thereto. Effective Date: July 1, 2006.

Calendar without reference

## II. Consideration of the following bills:

**HB 21 CS by Peterman, Bendross-Mindingall, Brutus, Cusack, Holloway, Joyner, Meadows, Richardson, Taylor** (Similar CS/SB 436)

**Social Status of Black Men and Boys;** Creates the Council on the Social Status of Black Men and Boys; provides for the appointment and qualification of members; provides for the appointment of members to fill vacant positions; requires the council to make a systematic study of conditions affecting black men and boys; requires the Office of the Attorney General to provide administrative support; requires the council to submit an annual report to the Governor and Legislature; provides for reimbursement for per diem and travel expenses; provides that the council and any subcommittee it forms are subject to public records and meetings requirements; provides financial disclosure requirements for council members; requires the Attorney General to organize the

initial meeting of the council; provides for the expiration of the council. Effective Date: January 1, 2007.

Future of Florida's Families Committee: Favorable With Committee Substitute; Criminal Justice Appropriations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

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#### **HB 1031 CS by Kyle (Similar CS/SB 1870)**

**Pawnbroking;** Provides that local ordinances shall not require the payment of any fee or tax related to a pawn transaction or purchase unless authorized under the Florida Pawnbroking Act. Effective Date: July 1, 2006.

Agriculture Committee: Favorable With Committee Substitute; Finance & Tax Committee: Favorable; State Resources Council: Favorable

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#### **HB 1173 CS by Ross, Culp (Identical CS/SB 2242)**

**Driver History Records;** Creates the "Jeffrey Klapatch Act"; provides for the Division of Driver Licenses of the Department of Highway Safety and Motor Vehicles to implement a system that provides the parents or guardian of a minor or the adult who signed a minor's application for a driver's license with Internet access to the driver history record of the minor; provides that no fee will be charged for such access; provides for termination of such access. Effective Date: January 1, 2007.

Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable

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#### **HB 1417 CS by Sansom (Similar CS/SB 1548)**

**Hospices;** Revises the definition of the term "hospice" to permit for-profit hospices; requires that a hospice state the year of initial licensure in the state in certain notification; deletes provisions authorizing the transfer of certain hospices and the acquisition of additional licenses; provides that the Agency for Health Care Administration may not deny a license to applicants that fail to meet certain conditions when good cause for such failure can be demonstrated; requires a hospice to use trained volunteers and to document and report certain volunteer information; requires the Office of Program Policy Analysis and Government Accountability to submit a report to the Legislature; requires the Department of Elderly Affairs, in conjunction with the agency and all hospices licensed in the state, to develop certain outcome measures; provides for adoption of national initiatives; requires an annual report. Effective Date: July 1, 2006.

Elder & Long-Term Care Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable With Committee Substitute; Health & Families Council: Favorable

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#### **HB 605 CS by Planas (Similar CS/SB 1320)**

**Public Records;** Provides an exemption from public records requirements for the home addresses, telephone numbers, and photographs of current or former juvenile probation officers, juvenile probation supervisors, detention superintendents, assistant detention superintendents, senior juvenile detention officers, juvenile detention officer supervisors, juvenile detention officers,

house parents I and II, house parent supervisors, group treatment leaders, group treatment leader supervisors, rehabilitation therapists, and social services counselors of the Department of Juvenile Justice, the names, home addresses, telephone numbers, and places of employment of spouses and children of such personnel, and the names and locations of schools and day care facilities attended by the children of such personnel; provides for review and repeal; provides a statement of public necessity. Effective Date: October 1, 2006.

Governmental Operations Committee: Favorable With Committee Substitute; Juvenile Justice Committee: Favorable With Committee Substitute; State Administration Council: Favorable

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#### **HB 583 CS by Traviesa, Sansom (Identical CS/SB 1552)**

**Correctional and Law Enforcement Officer Discipline;** Requires certain investigative reports to include a statement relating to compliance with ss. 112.532 and 112.533, F.S., which relate to law enforcement officers' and correctional officers' rights, and to be verified; requires certain statements to be made under oath and subject to prosecution for perjury. Effective Date: upon becoming a law.

Criminal Justice Committee: Favorable With Committee Substitute; Governmental Operations Committee: Favorable With Committee Substitute; Justice Council: Favorable

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#### **HB 7239 by Agriculture Committee, Poppell, Antone, Bullard, Cretul, Kreegel, McInvale, Stansel, Vana (Similar CS/CS/SB 660, Compare HB 101)**

**Department of Agriculture and Consumer Services;** Clarifies that private investigative, private security, and repossession services are licensed by the department; authorizes the department to institute judicial proceedings to enforce ch. 493, F.S., or any rule or order of the department; revises the requirements for a Class "D" private security license; requires the department to establish the number of hours of each subject area to be taught in training; provides for automatic suspension of a license upon failure to submit documentation of completing the required training; prescribes requirements and conditions for persons licensed before a certain date; provides exemptions; prohibits a telephone solicitor from blocking certain information from a recipient's caller identification service; provides an exception; authorizes a telephone solicitor to substitute certain information provided to the recipient's caller identification service; prohibits alteration of a caller's voice during a telephonic sales call under certain circumstances and for certain purposes; provides that the regulation of refunds in retail sales establishments is preempted to the department; authorizes the department to adopt rules; authorizes the department to enter orders for certain violations; requires that any moneys recovered by the department as a penalty be deposited in the General Inspection Trust Fund; authorizes a local government to impose penalties; requires that any moneys recovered by a local government as a penalty be deposited in the appropriate local account; revises provisions relating to assessment of fees, fines, and costs against the owner of a shopping cart; provides an exemption; defines the term "alternative fuel" for purposes of ch. 525, F.S., relating to the inspection of gasoline and oil; exempts the delivery of certain amounts of propane gas for use with outdoor equipment or appliances from provisions governing the delivery of liquefied petroleum gas; requires that a person delivering liquefied petroleum gas in bulk comply with certain storage requirements; authorizes the Division of Standards within the department to enforce ch. 527,

F.S., relating to the sale of liquefied petroleum gas; deletes provisions requiring that an office or agency receiving a complaint file progress reports with the Division of Consumer Services within the department; repeals provisions relating to reports by the Division of Standards to conform to changes made by the act; exempts certain governmental entities from requirements that operators of amusement rides maintain specified amounts of insurance coverage. Effective Date: July 1, 2006.

State Resources Council: Favorable

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**HB 825 CS by Altman, Hasner, Traviesa** (Similar CS/CS/SB 1368)

**Financial Literacy Council;** Creates the council; provides purposes; provides for membership; provides for reimbursement for per diem and travel expenses; provides for meetings, procedures, and records; provides powers and duties of the council; provides for resources of the council; requires that any funds received by the council be deposited in the Department of Financial Services Administrative Trust Fund; provides for expiration of the council; requires annual reports to the Governor and Legislature; provides a contingent appropriation; provides for construction; provides a limitation on expenditures of certain grant funds. Effective Date: July 1, 2006.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; State Administration Appropriations Committee: Favorable; Commerce Council: Favorable

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**HB 1141 CS by Stargel, Hasner, Sansom** (Similar SB 1434)

**Conveyances of Land;** Provides for the transfer and creation of custodial property in an individual retirement account or certain qualified plans; provides powers to the custodian or trustee of such custodial property; provides protections for persons dealing with the custodian or trustee; exempts specified transfers from specific claims; provides for the disposition of custodial property held in an account, plan, or custodianship that is terminated; provides a standard of care for the custodian or trustee; provides for specified declarations to control in specific legal proceedings; provides that provisions relating to deeds under statute of uses are not applicable to a transfer by a custodian or trustee under the act; provides that recorded instruments transferring interests in real property to a custodian or trustee are ratified, confirmed, and validated; specifies vesting of such interests in the custodian or trustee; specifies nonapplication of provisions relating to deeds under statute of uses to such instruments. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable; Economic Development, Trade & Banking Committee: Favorable; Justice Council: Favorable With Committee Substitute

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**HB 669 CS by Dean, Legg, Sansom** (Identical CS/SB 3032)

**Criminal Justice Standards and Training Commission;** Requires the Criminal Justice Standards and Training Commission to adopt rules for the implementation of the federal Law Enforcement Officers Safety Act of 2004; requires the commission to develop and authorize the issuance of a uniform firearms proficiency verification card; authorizes the use of specified facilities operating firing ranges for testing of persons other than law enforcement officers. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

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**HB 531 CS by Jennings, Bucher** (Similar CS/SB 1224)

**Prosperity Campaigns;** Establishes the Florida Prosperity Campaign Council within Workforce Florida, Inc.; provides duties of the council; requires development of financial literacy instruction to be included in high school life management skills coursework required for graduation; provides for repeal of the council; provides an appropriation. Effective Date: July 1, 2006.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; Community Colleges & Workforce Committee: Favorable With Committee Substitute; Commerce Council: Favorable

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**HB 187 CS by Porth, Adams, Harrell, Sands, Slosberg** (Similar CS/CS/SB 232)

**Lawful Testing for Alcohol, Chemical Substances, or Controlled Substances;** Revises provisions relating to lawful testing of a person's breath, urine, or blood for alcohol, chemical substances, or controlled substances; removes prior suspension as a condition for the commission of a misdemeanor by refusal to submit to a lawful test; provides penalties for refusal to submit to testing; limits information to be made available to a person tested. Effective Date: October 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Transportation Committee: Favorable; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; Justice Council: Favorable With Committee Substitute

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**HB 265 CS by Brown, Baxley, Clarke, Davis, D., Davis, M., Harrell, Kendrick, Kreegel, Reagan, Stansel, Troutman** (Similar CS/SB 430)

**Hunting Lands;** Requires certain lands owned, managed, or leased by the Fish and Wildlife Conservation Commission to be used for the purpose of hunting; requires the commission to support, promote, and enhance hunting opportunities; requires the commission to provide comparable acreage for any loss of existing hunting lands; provides requirements for location and use of replacement lands; requires state agencies and water management districts to allow certain lands to be used for the purpose of hunting; requires annual reports to the commission and Legislature. Effective Date: upon becoming a law.

Water & Natural Resources Committee: Favorable; Agriculture & Environment Appropriations Committee: Favorable; State Resources Council: Favorable With Committee Substitute

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**HJR 7143 CS by Judiciary Committee, Simmons**

**Rules of Construction;** Proposes an amendment to s. 12, Art. X of the State Constitution to revise rules of construction to be used when interpreting the extent of political power vested in the legislative branch to provide that the expression of one thing does not imply the exclusion of another, unless the limitation is

necessary to carry out the purpose of the constitutional provision, and to provide that a limitation shall not be implied based on the comprehensiveness of the constitutional provision.

State Administration Council: Favorable; Justice Council: Favorable With Committee Substitute

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**HB 1211 CS by Fields** (Identical CS/CS/SB 786, Compare HB 7001)

**Notification Regarding the State Minimum Wage;** Requires an employer to display posters at worksites to notify employees about the state minimum wage; requires the Agency for Workforce Innovation to make an updated poster available each year; provides for the size and contents of the posters. Effective Date: January 1, 2007.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; Commerce Council: Favorable With Committee Substitute

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**HB 667 CS by Hasner** (Similar CS/SB 1954)

**Credit Counseling Services;** Limits application of provisions declaring certain fees and costs unlawful to debtors residing in the state; revises annual audit requirements; includes creditor contributions within an authorized deduction from requirements for disbursement of funds; provides a limitation on such contributions. Effective Date: July 1, 2006.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Business Regulation Committee: Favorable; Finance & Tax Committee: Favorable With Committee Substitute; Commerce Council: Favorable With Committee Substitute

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**HB 1029 CS by Baxley, Clarke, Kreegel** (Similar CS/SB 1546)

**Carrying of Firearms in National Forests;** With respect to the carrying of firearms in national forests, repeals provisions of law which prohibit the carrying of firearms in national forests, which authorize the granting of a special permit for the carrying of firearms in a national forest, and which provide a penalty for violation thereof; requires the Department of Environmental Protection to amend the correlative rule in the Florida Administrative Code to allow the possession of weapons in compliance with all Florida Statutes; provides requirements with respect to amendment of the rule. Effective Date: October 1, 2006.

Criminal Justice Committee: Favorable; Environmental Regulation Committee: Favorable With Committee Substitute; Justice Council: Favorable

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**HB 1077 CS by Russell** (Identical CS/SB 2682)

**Motor Vehicle Dealers;** Exempts certain applicants for a new franchised motor vehicle dealer license from certain training requirements; revises the definition of "demonstrator" for purposes of provisions relating to manufacturing, importing, and distributing motor vehicles; prohibits specified licensees from failing to pay certain compensation amounts to a motor vehicle dealer after termination of the dealer's franchise agreement; provides procedures

for payment of the compensation amounts; provides for certain remedies, procedures, and rights of recovery; deletes a requirement that certain notices be sent by certified mail; revises conditions under which an opening or reopening of the same or a successor dealer within 12 months is not considered an additional dealer subject to protest; prohibits for a certain time proposals for a dealer of the same line-make after the opening or reopening of the dealer; provides criteria for measurements of distance between dealer locations; provides that the Department of Highway Safety and Motor Vehicles is not obligated to determine the accuracy of any distance submitted in a notice; provides for resolution of disputed distances by a hearing. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; Civil Justice Committee: Favorable; State Infrastructure Council: Favorable

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**HB 37 CS by Adams, Antone, Berfield, Cannon, Carroll, Davis, D., Farkas, Goldstein, Hays, Jennings, Justice, Mahon, Patterson, Planas, Sansom, Taylor, Waters, Zapata** (Similar CS/CS/SB 656)

**Security of Consumer Report Information;** Creates provisions relating to security of consumer report information; defines "security freeze"; authorizes a consumer to place a security freeze on his or her consumer report; provides procedures and requirements with respect to the placement, temporary suspension, and removal of a security freeze on a consumer report; authorizes a consumer to allow specified temporary access to his or her consumer report during a security freeze; provides procedures with respect to such temporary access; provides for removal of a security freeze when a consumer report was frozen due to a material misrepresentation of fact by the consumer; provides applicability; prohibits a consumer reporting agency from charging a fee to a victim of identity theft who requests a security freeze on a consumer report; authorizes consumer reporting agencies to charge a fee to place, remove, or temporarily lift a security freeze and to reissue a personal identification number; restricts the change of specified information in a consumer report when a security freeze is in effect; specifies applicability with respect to certain consumer reporting agencies; specifies entities that are exempt from placing a security freeze on a consumer report; provides for civil remedy; provides requirements with respect to written disclosure by a consumer reporting agency of procedures and consumer rights associated with a security freeze. Effective Date: July 1, 2006.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Agriculture Committee: Favorable With Committee Substitute; Civil Justice Committee: Favorable With Committee Substitute; Commerce Council: Favorable With Committee Substitute

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**HB 581 by Cretul, Arza, Baxley, Bean, Davis, D., Davis, M., Hays, Kravitz, Kreegel, Poppell, Sansom, Stansel, Stargel, Zapata** (Identical SB 1796)

**Public Benefits;** Prohibits funding for benefits granted under the state group insurance program from being used to provide benefits for any individuals other than enrollees and the spouses and dependent children of enrollees; prohibits community college boards of trustees and university boards of trustees from establishing benefits programs that use state funding to provide benefits for any individuals other than enrollees and the spouses and dependent children of enrollees. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable; Fiscal Council: Favorable; State Administration Council: Favorable

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**HB 127 CS by Hays, Ambler, Arza, Sansom, Zapata** (Compare SB 1160)

**Immunizations;** Requires the Department of Education to include parental information regarding school entry requirements and recommended immunization schedules in the guidelines for a parent guide; specifies that each school district develop and disseminate a parent guide that provides certain health information, including a recommended immunization schedule and information regarding meningococcal disease; requires the governing authority of each private school to provide certain health information, including a recommended immunization schedule and information regarding meningococcal disease. Effective Date: July 1, 2006.

Elder & Long-Term Care Committee: Favorable With Committee Substitute; PreK-12 Committee: Favorable; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

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**HB 7091 CS by Civil Justice Committee, Mahon, Goodlette**

**Real Property Electronic Recording;** Provides for the validity of electronic documents relating to real property; provides for the recording of electronic documents by the county recorder; grants the Department of State rulemaking authority; creates the Electronic Recording Council; requires the department to make specific written findings if any of the council's recommendations are rejected; provides for membership and meetings of the council; provides that council members shall serve without compensation and may not claim per diem and travel expenses from the Secretary of State; provides guidelines for the department, in consultation with the council, to consider in adopting, amending, and repealing standards; provides for uniformity of application and construction; specifies the relation to a federal act. Effective Date: upon becoming a law.

Transportation & Economic Development Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

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**HB 789 CS by Murzin, Reagan, Sansom, Williams** (Similar CS/CS/CS/SB 1394)

**Damage Prevention and Safety for Underground Facilities;** Revises the Underground Facility Damage Prevention and Safety Act; removes exceptions from Sunshine State One-Call of Florida, Inc., for certain small municipalities; requires that specified information be placed in the excavation notification system; provides an exception for underwater excavations; requires a report to the Legislature; provides for a communication system; revises requirements for operators and excavators; revises duties and authority of the system; limits liability of the system; revises procedures for disposition of citations; provides certain exemptions. Effective Date: October 1, 2006.

Utilities & Telecommunications Committee: Favorable With Committee Substitute; Civil Justice Committee: Favorable With Committee Substitute; Finance & Tax Committee: Favorable With Committee Substitute; Commerce Council: Favorable With Committee Substitute

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**HCB 6003** (for HBs 515, 589)**CS by Criminal Justice Committee, Stargel, Llorente, Planas, Sansom** (Compare HB 515, HB 589, CS/CS/SB 1168, SB 1534)

**Resale of Tickets;** Deletes a provision making the sale or marketing of certain admission tickets at a price in excess of \$1 above the retail admission price charged by the original seller a violation of the Sellers of Travel Act in certain circumstances; increases the maximum amount above retail price for which specified tickets may be resold without violating statute; provides an exception to the criminal penalty for resale of tickets authorized by the original seller; provides an exception to the criminal penalty for resale of certain tickets through an Internet website in specified circumstances; provides for sales tax collection on ticket resales. Effective Date: July 1, 2006.

Agriculture Committee: Favorable; State Resources Council: Favorable With Committee Substitute

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**HB 1015 CS by Pickens, Kendrick, Poppell, Robaina, Stansel** (Similar CS/CS/SB 1880)

**Agricultural Economic Development;** Provides a deadline for an owner of agricultural land to present a claim prior to filing an action against a governmental entity regarding private property rights; provides for application for an amendment to the local government comprehensive plan by the owner of land that meets certain provisions of the definition of an agricultural enclave; defines the term "agricultural enclave" for purposes of the Local Government Comprehensive Planning and Land Development Regulation Act; provides requirements relating to the purchase of land on which an agricultural lease exists; provides for recognition that alternative water supply development options for agricultural self-suppliers are limited; requires water management districts to inform landowners of the option to obtain certain consumptive use permits; provides for memoranda of agreement regarding qualification for agricultural-related exemptions. Effective Date: upon becoming a law.

Agriculture Committee: Favorable With Committee Substitute; Agriculture & Environment Appropriations Committee: Favorable With Committee Substitute; State Resources Council: Favorable With Committee Substitute

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**HB 7163 CS by Environmental Regulation Committee, Needelman, Kendrick** (Compare SB 1602, CS/SB 2062)

**Environmental Permitting;** Requires the Northwest Florida Water Management District and the Department of Environmental Protection to jointly develop rules for the regulation of certain activities related to stormwater management systems and the management and storage of surface waters; requires the district and the department to streamline federal and state wetland permitting programs and to implement such measures; requires certain exemptions and provisions for rules relating to certain dwellings; requires the department and district to incorporate certain exemptions and general permits in joint rules; exempts certain activities and structures from permitting requirements; requires the department and the district to enter into an operating agreement for the implementation of certain provisions; requires the district to be responsible for the regulation and local delegation of certain activities; provides for continuing operation of certain earlier law; repeals certain provisions upon the adoption of rules; provides effect for failure to fund in any given fiscal year; requires the department to negotiate with local governments in the district by a

certain date for delegation of responsibility for certain permitting; requires the department to report to the Legislature by a certain date; provides an appropriation for operational expenses of the district; repeals dates certain for the repeal of certain provisions relating to permitting in the district. Effective Date: July 1, 2006.

Agriculture & Environment Appropriations Committee: Favorable With Committee Substitute; State Resources Council: Favorable With Committee Substitute

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**HB 329 CS by Culp, Gibson, H., Roberson, Sobel** (Identical CS/SB 1182, Compare HB 1503 CS, CS/SB 2012)

**Adult Protective Services;** Redefines the term "abuse" to include actions by a relative or a household member which are likely to harm a vulnerable adult; redefines the term "neglect" to include actions of a vulnerable adult against himself or herself; provides for the Department of Children and Family Services to petition the court for an order authorizing the provision of protective services for a vulnerable adult in need of services; authorizes the Agency for Persons with Disabilities to have access to certain otherwise confidential records and reports. Effective Date: upon becoming a law.

Elder & Long-Term Care Committee: Favorable With Committee Substitute; Civil Justice Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable

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**HB 371 CS by Harrell, Benson, Coley, Hasner, Hukill, Sansom, Sobel, Zapata** (Similar CS/SB 1310)

**Cancer Drug Donation Program;** Creates the Cancer Drug Donation Program; provides a purpose; provides conditions for the donation of cancer drugs and supplies to the program; provides conditions for the acceptance of cancer drugs and supplies into the

program, inspection of cancer drugs and supplies, and dispensing of cancer drugs and supplies to eligible patients; requires a participant facility that accepts donated drugs and supplies through the program to comply with certain state and federal laws; authorizes a participant facility to charge fees under certain conditions; requires the Department of Health, upon recommendation of the Board of Pharmacy, to adopt certain rules; provides for the ineligibility of certain persons to receive donated drugs; requires the department to establish and maintain a participant facility registry; provides for the contents and availability of the participant facility registry; provides immunity from civil and criminal liability for donors or pharmaceutical manufacturers in certain circumstances; provides that in the event of conflict between the provisions in s. 499.029, F.S., and provisions in ch. 465 or ch. 499, F.S., the provisions in s. 499.029, F.S., shall control; provides an appropriation. Effective Date: July 1, 2006.

Health Care General Committee: Favorable With Committee Substitute; Judiciary Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

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**HB 7153 CS by Economic Development, Trade & Banking Committee, Detert** (Similar SB 2744, Compare HB 521, HB 1437 CS, HB 1443 CS, CS/SB 588, SB 1824)

**Financial Entities and Transactions;** Revises requirements, procedures, limitations, exceptions, and exemptions for licensure of mortgage brokers and mortgage lenders, consumer finance lenders, securities dealers, retail installment sales vendors, title loan lenders, and money transmitters; revises provisions regulating access to safe-deposit boxes. Effective Date: October 1, 2006.

State Administration Appropriations Committee: Favorable; Commerce Council: Favorable With Committee Substitute

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**HB 13 CS by Robaina, Baxley, Brown, Davis, D., Goodlette, Harrell, Kreegel, Roberson, Waters, Zapata** (Similar CS/SB 1330)

**Department of Elderly Affairs;** Requires the Department of Elderly Affairs to conduct an evaluation prior to rescinding designation of or taking certain measures against an area agency on aging; provides circumstances under which the department may terminate an agency contract; authorizes the department to contract with certain entities to provide programs and services under certain circumstances; requires a competitive procurement process to replace an area agency on aging; provides for certain contracts and agreements to be assignable to the department and, subsequently, to an entity selected to replace the area agency on aging. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable With Committee Substitute; Elder & Long-Term Care Committee: Favorable; Health Care Appropriations Committee: Favorable; State Administration Council: Favorable

**HB 19 CS by Justice, Galvano, Richardson, Waters** (Identical CS/SB 1086, Compare HB 639, HB 741 CS, HB 769 CS, HB 873 CS, CS/SB 876, SB 1348, SB 1604, SB 1606, CS/SB 1616, SB 1636, SB 1764)

**Building and Facility Designations;** Provides for the designation of university buildings and other facilities; provides for the erection of markers. Effective Date: July 1, 2006.

Colleges & Universities Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable With Committee Substitute

**HB 23 CS by Jordan, Altman, Waters** (Similar SB 188)

**Bicycle Safety;** Revises safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; provides for enforcement of certain bicycle equipment requirements; provides penalties for violations; provides for dismissal of a first offense. Effective Date: October 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Transportation Committee: Favorable; Justice Council: Favorable

**HB 67 CS by Sobel, Ambler, Baxley, Culp, Detert, Gibson, A., Meadows, Vana** (Compare HB 93 CS, SB 252, CS/SB 976)

**Automated External Defibrillator Devices;** Creates the "Gordon and Miulli Act"; provides for grants to youth athletic organizations for automated external defibrillator devices; provides for disbursement of funds from the Emergency Medical Services Trust Fund; requires the Department of Health to implement an educational campaign to inform persons who acquire automated external defibrillator devices of the scope and limitations of the immunity from liability provided under the Cardiac Arrest Survival Act. Effective Date: July 1, 2006.

Health Care General Committee: Favorable; Governmental Operations Committee: Favorable; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

**HB 85 CS by Taylor, Baxley** (Similar CS/CS/SB 212)

**Assault or Battery;** Provides for reclassification of an assault or battery on a licensed security officer or specified non-sworn law enforcement agency employee; provides applicability. Effective Date: July 1, 2006, and shall apply to offenses committed on or after that date.

Criminal Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

**HB 93 CS by Henriquez, Ambler** (Compare HB 67 CS, SB 252, CS/SB 976)

**Automated External Defibrillators;** Revises legislative intent with respect to the use of an automated external defibrillator; defines the terms "automated external defibrillator" and "defibrillation"; provides that it is a first degree misdemeanor for a person to commit certain acts involving the misuse of an automated external defibrillator; provides penalties and an exception; requires the Department of Health to implement an educational campaign to inform persons who acquire automated external defibrillator devices of the scope and limitations of the immunity from liability provided under the Cardiac Arrest Survival Act. Effective Date: July 1, 2006.

Health Care General Committee: Favorable With Committee Substitute; Criminal Justice Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

**HB 103 CS by McInvale, Waters** (Identical SB 152)

**Property Appraiser Assessments;** Revises property appraisers' authority for inspecting real property for assessment purposes in addition to physical inspections; reduces the required frequency of physical inspections. Effective Date: upon becoming a law.

Finance & Tax Committee: Favorable With Committee Substitute; Local Government Council: Favorable; Fiscal Council: Favorable With Committee Substitute

**HB 111 CS by Anderson, Sobel** (Identical CS/SB 274)

**Defibrillators in State Parks;** Encourages state parks to have a functioning automated external defibrillator; requires training, maintenance, and location registration; provides immunity from liability under the Good Samaritan Act and the Cardiac Arrest Survival Act; authorizes the Division of Recreation and Parks to adopt rules; provides an appropriation. Effective Date: July 1, 2006.

Health Care General Committee: Favorable; Agriculture & Environment Appropriations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

**HB 133 CS by Anderson, Bucher, Legg, Sobel, Waters** (Similar SB 110)

**Student Voter Education;** Authorizes district school boards and county supervisors of elections to cooperate to provide a program of voter education for high school seniors; provides guidelines for the content of the educational program; requires that the program of

voter education be conducted during school hours. Effective Date: July 1, 2006.

Ethics & Elections Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable; State Administration Council: Favorable

**HB 135 CS by Greenstein** (Compare CS/CS/SB 1030)

**Charter Schools;** Provides that the sponsor of a charter school shall not be liable for civil damages for certain actions; provides that the duty to monitor a charter school shall not be the basis for a private cause of action; prescribes limits on immunities of a charter school sponsor; expands a school district's immunity from assumption of contractual debts. Effective Date: July 1, 2006.

Choice & Innovation Committee: Favorable With Committee Substitute; Civil Justice Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable

**HB 137 CS by Mayfield, Zapata** (Identical SB 1658, Compare HB 7257)

**Awarding of Baccalaureate Degrees by Community Colleges;** Provides that community colleges that grant baccalaureate degrees remain under the authority of the State Board of Education with respect to specified responsibilities; provides that the board of trustees is the governing board for purposes of granting baccalaureate degrees; provides powers of the boards of trustees, including the power to establish tuition and out-of-state fees; requires policies relating to minimum faculty teaching hours per week; requires community colleges that offer baccalaureate degrees to maintain their primary mission and prohibits the termination of associate degree programs; removes authorization for St. Petersburg College to request funding as a university; removes requirement that baccalaureate degree program proposals be submitted to the Council for Education Policy Research and Improvement; provides requirements for the delivery of specified baccalaureate degree programs by a regionally accredited college or university at a community college site; provides guidelines and restrictions for setting tuition and out-of-state fees for upper-division courses; requires the State Board of Education to adopt a resident fee schedule for baccalaureate degree programs offered by community colleges; provides requirements for funding baccalaureate degree programs; provides state policy to limit state support for recurring operating purposes to no more than a specified percentage of funding for certain state university programs; provides certain reporting and funding requirements; allows boards of trustees to request funding for all authorized programs; provides that enrollment in baccalaureate degree programs may be computed into the survey of need for facilities under certain conditions. Effective Date: July 1, 2006.

Community Colleges & Workforce Committee: Favorable; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable

**HB 149 by Mahon, Baxley, Porth, Proctor, Robaina** (Similar SB 1076)

**DUI Education Courses;** Provides additional requirements for DUI education courses. Effective Date: July 1, 2006.

Transportation Committee: Favorable; Criminal Justice Committee: Favorable; State Infrastructure Council: Favorable

**HB 159 CS by McInvale, Detert, Flores, Hays** (Identical CS/SB 466)

**Regulation of Real Estate Appraisers;** Revises requirements relating to work performed by persons who are not certified, licensed, or registered; provides requirements relating to issuance of appraisal reports and compensation of appraisers, including trainees; removes obsolete language relating to qualifications for registration, licensure, or certification; revises education and experience requirements; removes obsolete language relating to examination requirements; revises the minimum and maximum course hour requirements for trainee appraiser registration; removes obsolete provisions establishing education and experience requirements for licensure as an appraiser; revises education and experience requirements for certification as a residential appraiser or general appraiser; requires applicants for certification to maintain certain application documents; provides for the issuance of registration and certification upon receipt of proper documentation; prohibits supervisory appraisers from certain employment; requires supervisory appraisers to provide direct training to registered trainee appraisers; requires appraisers to furnish their firm or business name and any change in that name to the Department of Business and Professional Regulation; provides rulemaking authority to the Florida Real Estate Appraisal Board for purposes of provisions of the act. Effective Date: July 1, 2006.

Business Regulation Committee: Favorable With Committee Substitute; State Administration Appropriations Committee: Favorable; Commerce Council: Favorable

**HB 175 CS by Adams, Harrell, Planas, Porth, Quinones** (Similar CS/CS/CS/SB 114, SB 444)

**Drug Court Programs;** Authorizes citation as the "Robert J. Koch Drug Court Intervention Act"; provides additional legislative intent with respect to the treatment of substance abuse; authorizes the court to require certain persons to undergo treatment following adjudication, to order specified persons to submit to a substance abuse assessment in connection with a shelter petition or petition for dependency, and to order specified persons to submit to a substance abuse assessment as part of an adjudicatory order or pursuant to a disposition hearing; authorizes the court to require participation in a treatment-based drug court program; authorizes the court to impose sanctions for noncompliance; provides requirements and sanctions, including treatment by specified licensed service providers, jail-based treatment, secure detention, or incarceration, for the coordinated strategy developed by the drug court team to encourage participant compliance; requires each judicial circuit to establish a position for a coordinator of the treatment-based drug court program, subject to annual appropriation by the Legislature; authorizes the chief judge of each judicial circuit to appoint an advisory committee for the treatment-based drug court program; revises language with respect to conditions for the transfer of a case in the drug court treatment program to a county other than that in which the charge arose; provides for expungement of certain records and pleas. Effective Date: upon becoming a law.

Criminal Justice Committee: Favorable With Committee Substitute; Juvenile Justice Committee: Favorable With Committee Substitute; Judiciary Appropriations Committee: Favorable With Committee Substitute; Justice Council: Favorable With Committee Substitute

**HB 181 CS by Hays** (Similar CS/CS/SB 170)

**Administration of Medication;** Deletes requirements for unlicensed staff members of direct care service facilities to administer prescribed medications to persons with developmental disabilities; authorizes direct service providers to administer medication to clients or to supervise self-administration of medication by clients; provides requirements for direct service providers to demonstrate competency regarding supervising the self-administration of medication by clients or administering medication to clients; requires the Agency for Persons with Disabilities to adopt rules to establish standards and procedures governing the supervision of self-administered medications and the administration of medications by direct service providers. Effective Date: upon becoming a law.

Health Care Regulation Committee: Favorable With Committee Substitute; Elder & Long-Term Care Committee: Favorable; Health & Families Council: Favorable

**HB 197 CS by Hays** (Compare SB 420)

**Preinsurance Inspection of Private Passenger Motor Vehicles;** Provides for a voluntary preinsurance inspection of motor vehicles by an insurer; authorizes private passenger motor vehicle insurance companies to require a preinsurance inspection of a motor vehicle as a condition of issuing physical damage coverage; deletes provisions relating to required inspections. Effective Date: upon becoming a law.

Insurance Committee: Favorable; Commerce Council: Favorable With Committee Substitute

**HJR 213 CS by Brummer, Arza, Flores, Goldstein, Hasner, Traviesa** (Compare SJR 532)

**Authorizing the Division of a School District into Two or More School Districts;** Proposes an amendment to s. 4, Art. IX of the State Constitution to provide that school districts may be divided into two or more school districts, each having no fewer than 25,000 students, as provided by law and upon a vote of the county's electors; to provide that school district taxes shall be imposed countywide and distributed to the school districts in an equitable and nondiscriminatory manner as provided by law; and to provide that the rate of school district taxes shall be determined by a board consisting of an equal number of school board members from each school district in the county as provided by law.

PreK-12 Committee: Favorable; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable With Committee Substitute

**HB 221 CS by Richardson, Domino, Joyner, Kendrick, Meadows, Smith, Stargel, Zapata** (Similar CS/CS/SB 438)

**Paternity;** Permits a petition to set aside a determination of paternity or terminate a child support obligation; specifies contents of the petition; provides standards upon which relief shall be granted; provides remedies; provides that child support obligations shall not be suspended while a petition is pending; provides for scientific testing; provides for the amendment of the child's birth certificate; provides for assessment of costs and attorney's fees; repeals Rule 1.540, Florida Rule of Civil Procedure, relating to relief from judgment, decrees, or orders. Effective Date: July 1, 2006, except that section 2 of this act shall take effect only if this act

is passed by a two-thirds vote of the membership of each house of the Legislature.

Civil Justice Committee: Favorable; Future of Florida's Families Committee: Favorable With Committee Substitute; Justice Council: Favorable With Committee Substitute

**HB 243 by Kendrick, Bilirakis** (Identical SB 372)

**Hearing Aid Specialists;** Eliminates the application of certain advertising requirements to health care practitioners licensed under pt. II of ch. 484, F.S., relating to the regulation of hearing aid specialists. Effective Date: July 1, 2006.

Health Care Regulation Committee: Favorable; Elder & Long-Term Care Committee: Favorable; Health & Families Council: Favorable

**HB 261 by Stansel, Kendrick, Williams** (Identical SB 2510, Compare SB 1906)

**Florida Incentive-based Permitting Act;** Provides for an Incentive-based Permitting Program; provides compliance incentives for specified environmental permitting activities; provides requirements and limitations; provides for administration by the Department of Environmental Protection; specifies application of Incentive-based Permitting Program provisions; revises criteria for department permit issuance to conform. Effective Date: upon becoming a law.

Environmental Regulation Committee: Favorable; Agriculture Committee: Favorable; Agriculture & Environment Appropriations Committee: Favorable; State Resources Council: Favorable

**HB 267 CS by Bogdanoff, Davis, M., Zapata** (Similar SB 268)

**Driver License Services;** Directs the Department of Highway Safety and Motor Vehicles to study outsourcing its driver license services; requires that the department submit a report to the Governor and Legislature by a specified date; provides requirements for the department with respect to issues to be included in the study; requires a cost-benefit analysis and a transition and implementation plan; provides for the collection of driver license renewal service charges by authorized driver's license agents; revises legislative intent provisions to include references to county constitutional officers providing driver license services; authorizes the department to contract with any county constitutional officer for driver license services in counties in which the tax collector is not elected or does not provide such services. Effective Date: upon becoming a law.

Transportation Committee: Favorable With Committee Substitute; Local Government Council: Favorable; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable

**HB 271 CS by Kreegel, Adams, Allen, Bogdanoff, Davis, M., Detert, Flores, Glorioso, Goldstein, Grant, Grimsley, Hays, Hukill, Legg, Murzin, Porth, Proctor, Rice, Ross, Sands, Seiler, Troutman, Williams, Zapata** (Identical CS/CS/CS/SB 688)

**Arrests and Arrestees;** Provides that arrestees in the custody of the Department of Corrections at the time of arrest be retained in the department's custody pending disposition of the charge or until the expiration of the arrestee's original sentence of imprisonment; requires application of specified provisions if an arrested state

prisoner's presence is required in court. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Criminal Justice Appropriations Committee: Favorable With Committee Substitute; Justice Council: Favorable With Committee Substitute

**HB 303 CS by Kravitz** (Similar CS/CS/SB 214, Compare SB 556, SB 560)

**Dart-Firing Stun Guns;** Defines "dart-firing stun gun" for the purposes of ch. 790, F.S.; deletes the definition of "remote stun gun"; revises provisions relating to the carrying of concealed weapons and the open carrying of weapons, to conform; authorizes the carrying of a dart-firing stun gun, both openly and in a concealed manner, for purposes of lawful self-defense; prohibits the use of a dart-firing stun gun against a law enforcement officer who is on duty; provides a penalty; provides circumstances during which law enforcement, correctional, and correctional probation officers may use a dart-firing stun gun; requires the Criminal Justice Standards and Training Commission to establish standards for instruction in the use of dart-firing stun guns; requires that a minimum number of hours in such training be included in the basic skills course required for certification; requires training of specified officers who are authorized to carry dart-firing stun guns and who have not received dart-firing stun gun training; requires annual training for certain officers. Effective Date: upon becoming a law.

Criminal Justice Committee: Favorable With Committee Substitute; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

**HB 327 CS by Porth, Sands** (Similar CS/SB 646)

**Sexual and Career Offenders;** Revises the definition of "institution of higher education" to include a career center; revises provisions relating to use of prior felonies for sexual predator determination; deletes a requirement for separate sentencing of a prior felony for sexual predator designation; removes language allowing a sexual predator to register at a FDLE office; revises an operational date used for career offender registration; expands applicability of registration requirements; removes language allowing a sexual offender to register at a FDLE office; revises language relating to the definition of "sexual offender"; revises the definition of "institution of higher education" to include a career center; revises a provision relating to an offender's driver license or identification card renewal; revises language relating to the definition of "sexual offender"; revises the definition of "institution of higher education" to include a career center. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

**HB 333 CS by McInvale, Clarke, Machek, Porth, Roberson, Troutman, Vana, Zapata** (Identical CS/SB 1172, Compare HB 793)

**Public Food Service Establishments;** Authorizes municipalities, as a 3-year pilot project, to adopt an ordinance to establish a local exemption to certain general law relating to public food service establishments in order to permit patrons' dogs at certain designated outdoor portions of such establishments; provides for implementation and enforcement; provides legislative findings and intent;

provides for state assistance; provides for future review and repeal. Effective Date: July 1, 2006.

Business Regulation Committee: Favorable; Local Government Council: Favorable With Committee Substitute; Commerce Council: Favorable

**HB 335 CS by Culp** (Compare HB 293 CS, HB 5019, HB 7169, CS/SB 456, CS/SB 1612)

**Juvenile Justice;** Includes specified law enforcement officers in a definition for purposes of abuse investigations; permits a law enforcement officer to take a child into custody for a violation of adjudication order conditions; permits specified types of post-adjudication detention for a child who has previously failed to appear at delinquency court proceedings regardless of risk assessment instrument results; provides exceptions; revises the definition "fiscally constrained county" for purposes of determining state payment of costs of juvenile detention care; requires a court to include specified conditions in an order of adjudication of delinquency; permits a court to find a child in contempt of court for a violation of adjudication order conditions; repeals provisions relating to boot camps for children; authorizes the Department of Juvenile to contract for sheriff's training and respect programs; provides eligibility requirements; specifies required program offerings and participation timeframes; requires the department to adopt rules and maintain specified records; provides for quarterly evaluations of and contract cancellation; specifies staff training requirements; requires the department to adopt training rules; prohibits the provision of direct care to children by staff who have not complied with training requirements; prohibits operation of a program until rules are adopted and the department has verified program compliance with applicable law and rules; authorizes emergency rules to expedite implementation; deletes requirements for certain reports; provides penalties for the willful failure of a child to return to a residential commitment facility within time authorized for a temporary release; requires the department to adopt specified rules; requires the department and provider employees to be certified in protective action response within a specified number of days; creates the Juvenile Justice Accountability Commission; requires the commission to contract for a comprehensive evaluation, accountability, and reporting system for juvenile justice programs; provides requirements for the system; requires a report by the system provider; specifies commission duties; requires a report; provides for automated access to the juvenile justice information system; requires the commission to adopt rules; directs the department to collect and analyze specified data; requires the development of a standard methodology for annually measuring, evaluating, and reporting program outputs and youth outcomes; requires an annual report; specifies report contents; revises a cost-effectiveness model for commitment programs; revises a report due date; revises requirements for annual quality assurance reporting; provides for termination of juvenile justice contracts and programs in specified circumstances; deletes obsolete provisions; creates the cost of supervision and care waiver pilot program in the Ninth Judicial Circuit; requires waiver of specified fees for successful completion of specified parenting classes; provides conditions; provides for review of the pilot program and reports by OPPAGA; requires the Juvenile Justice Accountability Commission to contract for the parenting classes; provides for future repeal; provides for a transfer of powers, duties, resources, and personnel relating to specified department responsibilities to the Juvenile Justice Accountability Commission; creates a pilot program that authorizes specified courts to select commitment programs for juvenile delinquents; requires the department to develop implementation procedures and to publish specified information about

commitment programs on its website; provides procedures for the selection of commitment programs by courts; requires evaluation and reports by OPPAGA; specifies department and court responsibilities relating to the reports; provides for future repeal of the pilot program. Effective Date: July 1, 2006.

Juvenile Justice Committee: Favorable With Committee Substitute; Criminal Justice Appropriations Committee: Favorable With Committee Substitute; Justice Council: Favorable

#### **HB 361 CS by Carroll (Similar SB 704)**

**Automated Teller Machine Transaction Charges;** Authorizes the operator of an automated teller machine to charge an access fee or surcharge for transactions using accounts from certain financial institutions. Effective Date: July 1, 2006.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Tourism Committee: Favorable; Commerce Council: Favorable

#### **HB 373 CS by Harrell, Baxley, Davis, D., Greenstein, Proctor, Waters, Zapata (Similar CS/SB 122)**

**Tuition Waivers;** Requires state universities and community colleges to waive tuition for a recipient of a Purple Heart or other combat decoration superior in precedence who fulfills specified criteria; provides a percentage cap on the number of required credit hours for which a tuition waiver may be received. Effective Date: July 1, 2006.

Military & Veteran Affairs Committee: Favorable; Community Colleges & Workforce Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable With Committee Substitute; State Administration Council: Favorable

#### **HB 377 CS by Gibson, H., Seiler (Identical CS/SB 1256)**

**Continuing Care Provider Minimum Liquid Reserve Requirements;** Deletes property insurance premiums from debt service reserve requirements; deletes property insurance debt service reserve limitations; deletes additional minimum debt service reserve requirements for specified years; includes property insurance premiums in calculating expenses. Effective Date: July 1, 2006.

Elder & Long-Term Care Committee: Favorable With Committee Substitute; Insurance Committee: Favorable; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable

#### **HB 385 CS by Jordan (Compare CS/SB 460)**

**Specialty License Plates;** Provides for the proceeds from the sale of Police Athletic League license plates to be distributed to the State of Florida Association of Police Athletic/Activities Leagues, Inc.; authorizes the use of a portion of such fees for administrative and promotional cost; revises provisions for distribution of proceeds from the sale of motorcycle specialty license plates; requires a portion of the proceeds to be distributed to the Blind Services Foundation of Florida; revises amounts distributed and permissible uses of the proceeds. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable

#### **HB 403 CS by McInvale (Compare HB 7087, CS/SB 772, CS/SB 2048, SB 2576)**

**School Attendance;** Authorizes district school board attendance policies to allow accumulated tardies and early departures to be recorded as unexcused absences; authorizes district school board policies for student referral to a child study team under certain circumstances; provides that students who have attained 16 years of age and have not graduated are subject to compulsory school attendance under certain circumstances; requires student exit interviews prior to terminating school enrollment; provides district school superintendent's responsibility to support local law enforcement agencies in enforcing school attendance; provides required and authorized child study team interventions; authorizes visits by school representatives. Effective Date: July 1, 2006.

PreK-12 Committee: Favorable With Committee Substitute; Juvenile Justice Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable

#### **HB 431 CS by Littlefield, Murzin (Compare CS/SB 980)**

**Electric Transmission and Distribution;** Provides criteria and procedures relating to approval by local governments of applications for installation of electric substations; provides requirements relating to vegetation-maintenance activities by an electric utility; requires electric utilities to notify the regional planning council of plans to site electric substations; requires electric substation siting information be included in the regional planning council's annual report and supplied to local governments under certain conditions. Effective Date: upon becoming a law.

Utilities & Telecommunications Committee: Favorable With Committee Substitute; Growth Management Committee: Favorable With Committee Substitute; Local Government Council: Favorable With Committee Substitute; Commerce Council: Favorable With Committee Substitute

#### **HB 453 by Needelman, Bullard, Clarke, Gelber, Johnson, Littlefield, Sorensen, Zapata (Similar SB 676)**

**Designation of an Official State Pie of the State of Florida;** Designates the Key Lime Pie as the official pie of the State of Florida. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable; Tourism Committee: Favorable; State Administration Council: Favorable

#### **HB 493 CS by Ryan (Compare CS/SB 1754, CS/SB 2000)**

**Ethics for Public Officers and Employees;** Prohibits employees of the state and its political subdivisions from participating in a political campaign; prohibits certain disclosures by a former public officer, agency employee, or local government attorney; redefines the term "employee" to include certain other-personal-services employees for certain postemployment activities; exempts certain agency employees from applicability of postemployment restrictions; provides an exemption from provisions prohibiting conflicts in employment to a person who, after serving on an advisory board, files a statement with the Commission on Ethics relating to a bid or submission; specifies how assets valued in excess of a specified amount are to be reported by a reporting individual; requires that a delinquency notice be sent to certain officeholders by certified mail, return receipt requested; deletes provisions relating to the reporting of assets valued in excess of a specified amount, to conform; provides requirements for persons who have left office or

employment as to filing a report relating to gifts; provides requirements relating to the deadline for and timeliness of gift reports; requires that a report of honoraria by a person who left office or employment be filed by a specified date; authorizes the commission to recommend a restitution penalty be paid to the agency of which the public officer was a member or by which the public employee was employed or to the General Revenue Fund; authorizes the Attorney General to recover costs for filing suit to collect penalties and fines; deletes provisions imposing a penalty for the disclosure of information concerning a complaint or an investigation; provides additional standards for state agency employees relating to procurement of goods and services by a state agency; authorizes an employee whose position was eliminated to engage in certain contractual activities; prohibits an individual who qualifies as a lobbyist from serving on the commission; prohibits a member of the commission from lobbying any state or local governmental entity; provides exceptions for certain individuals who are members of the commission; requires the commission to adopt a rule detailing the grounds for waiving a fine and the procedures to be followed when a lobbyist fails to timely file his or her report; requires automatic suspension of certain lobbyist registrations if the fine is not timely paid; requires the commission to provide written notice to any lobbyist whose registration is automatically suspended; authorizes travel and per diem expenses for certain witnesses; redefines the terms "official investigation" and "official proceeding," for purposes of provisions relating to tampering with witnesses, to include an investigation by the commission. Effective Date: October 1, 2006.

Ethics & Elections Committee: Favorable With Committee Substitute; Governmental Operations Committee: Favorable With Committee Substitute; Fiscal Council: Favorable; State Administration Council: Favorable With Committee Substitute

**HB 513 CS by Bilirakis, Farkas, Goldstein** (Compare HB 7087, SB 1480, CS/SB 2048)

**Career and Professional Academies;** Provides career and professional academy goals and duties; authorizes an academy to be offered as a described small learning community; authorizes the Department of Education to establish a Career High-Skill Occupational Initiative for Career Education (CHOICE) project as a competitive process for the designation of school district participants and CHOICE academies; provides eligibility criteria for such designation and duties of participating school districts and the department; provides for the award to school district participants in the CHOICE project of startup funds for the development of CHOICE academies; provides duties of Enterprise Florida, Inc., and Workforce Florida, Inc. Effective Date: July 1, 2006.

Community Colleges & Workforce Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable; Education Council: Favorable

**HB 519 CS by Kravitz** (Compare SB 960)

**Internet Screening in Public Libraries;** Defines terms; requires public libraries to provide technology that protects against Internet access to specified proscribed visual depictions; allows adults to request disablement of the technology for specified purposes; prohibits a public library from maintaining a record of adults who request such disablement; requires a public library to post notice of its Internet safety policy; directs the Division of Library and Information Services within the Department of State to adopt rules requiring a written attestation of compliance as a condition of state

funding; provides a cause of action is not authorized for a violation by a public library. Effective Date: October 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; Justice Council: Favorable

**HB 527 CS by Gibson, H., Anderson, Antone, Baxley, Bogdanoff, Bucher, Carroll, Cretul, Davis, D., Galvano, Gibson, A., Goldstein, Gottlieb, Greenstein, Harrell, Homan, Jennings, Kendrick, Kravitz, Mahon, Porth, Proctor, Robaina, Roberson, Ryan, Slosberg, Sobel, Stansel, Vana, Zapata** (Compare CS/SB 1008)

**Suicide Prevention;** Creates the Statewide Office for Suicide Prevention within the Office of Drug Control; provides the goals and objectives of the office; creates the position of coordinator for the statewide office; specifies the education and experience requirements for the position of coordinator; details the duties and responsibilities of the coordinator; authorizes the office to accept grants and funds; creates the Suicide Prevention Coordinating Council within the Office of Drug Control; provides the scope of activities for the coordinating council; creates an interagency workgroup for state agencies within the council to coordinate state agency plans for suicide prevention; authorizes the council to assemble an ad hoc committee to advise the council; provides for membership on and meetings of the council; provides for per diem and travel expenses; provides an appropriation and authorizes a position. Effective Date: July 1, 2006.

Future of Florida's Families Committee: Favorable With Committee Substitute; Governmental Operations Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; Health & Families Council: Favorable

**HM 539 by Harrell, Sands**

**Indian River Lagoon Restoration Project and the Lake Okeechobee and Estuary Recovery Plan;** Urges the President and Congress to promptly enact legislation to authorize funding to construct the Indian River Lagoon Restoration Project and the development of a comprehensive plan to assist in the implementation of the Lake Okeechobee and Estuary Recovery Plan.

Water & Natural Resources Committee: Favorable; Local Government Council: Favorable; State Resources Council: Favorable

**HM 541 CS by Ross, Allen, Berfield, Clarke, Hasner, Hukill, Legg, Patterson, Stargel** (Similar SM 1676, Compare HM 1255, SM 2626)

**National Catastrophe Insurance Program;** Urges Congress to support a National Catastrophe Insurance Program.

Insurance Committee: Favorable; Commerce Council: Favorable With Committee Substitute

**HB 543 CS by Goodlette, Stargel** (Similar CS/CS/SB 1556)

**Condominiums;** Substantially revises provisions relating to the termination of the condominium form of ownership of a property; provides legislative findings; provides grounds; provides powers and duties of the board of administration of the association; waives certain notice requirements following natural disasters; provides lienholders with the right to propose persons for consideration by

the court as receiver; requires quarterly reports; authorizes certain unit owners to remove members of the board of administration; authorizes certain lienors to petition the court for the appointment of a termination trustee; provides requirements for a plan of termination; provides for the allocation of proceeds from the sale of condominium property; provides powers and duties of a termination trustee; provides notice requirements; provides a procedure for contesting a plan of termination; provides rules for the distribution of property and sale proceeds; provides for the association's status following termination; allows the creation of another condominium by the trustee; specifies an exception. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute; Business Regulation Committee: Favorable With Committee Substitute; Justice Council: Favorable With Committee Substitute

**HB 587 CS by Galvano, Bilirakis, Clarke, Homan, Porth, Sobel** (Similar SB 416)

**Health Care Practitioners;** Provides legislative findings and intent; revises the general section of law relating to grounds for discipline, penalties, and enforcement applicable to health care practitioners; provides that a practitioner's failure to identify the type of license under which he or she is practicing constitutes grounds for disciplinary action; provides exceptions; authorizes certain entities to determine compliance with a disclosure requirement; provides penalties; specifies that a reference to the section constitutes a general reference under the doctrine of incorporation by reference. Effective Date: July 1, 2006.

Health Care Regulation Committee: Favorable With Committee Substitute; Business Regulation Committee: Favorable; Health Care Appropriations Committee: Favorable With Committee Substitute; Health & Families Council: Favorable

**HB 615 by Simmons, Antone, McInvale** (Identical SB 1426)

**Professional Sports Franchises;** Provides additional requirements with respect to certification as a facility for a new professional sports franchise or a facility for a retained professional sports franchise; provides for repeal of the requirements by a specified date. Effective Date: July 1, 2006.

Tourism Committee: Favorable; Finance & Tax Committee: Favorable; State Infrastructure Council: Favorable

**HB 627 CS by Brummer** (Similar SB 538)

**License Plates;** Requires a driver whose driving privileges are restricted because of a conviction related to driving under the influence to have a DUI plate on any vehicle that he or she operates; provides for the Department of Highway Safety and Motor Vehicles to develop such a plate; provides requirements for such a plate; provides an annual surcharge for the plate; provides for the use of such surcharge; requires that a person whose driving privilege has been revoked under a specified provision only be granted restricted driving privileges on the condition that he or she operates only a vehicle that displays a DUI license plate. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; Justice Council: Favorable

**HB 637 CS by Seiler** (Similar SB 202)

**Consumer Protection;** Revises and creates provisions relating to consumer protection; changes obsolete dates; revises provisions relating to remedies of the enforcing authority under the Florida Deceptive and Unfair Trade Practices Act to provide that the court may order actions brought under that act on behalf of an enterprise; provides that the use of a creation that is not protected under federal copyright law shall not give rise to a claim or cause of action, except under specified circumstances; provides construction with respect thereto. Effective Date: July 1, 2006.

Agriculture Committee: Favorable; Civil Justice Committee: Favorable; Judiciary Appropriations Committee: Favorable; State Resources Council: Favorable With Committee Substitute

**HB 639 by Kyle** (Identical SB 1348, Compare HB 19 CS, CS/SB 1086)

**Building Designations;** Designates a building in Lee County as the Joseph P. D'Alessandro Office Complex; directs the Department of Management Services to erect suitable markers. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable; State Administration Appropriations Committee: Favorable; State Administration Council: Favorable

**HB 661 CS by Arza, Zapata** (Similar CS/SB 1062)

**Governmental Services Telephone Systems;** Authorizes the Department of Community Affairs to accept and administer funds to provide grants for certain coordinated 311 nonemergency and other governmental services telephone system; authorizes counties and municipalities to apply for grants; requires a county or municipality to provide matching funds; provides procedures for approval of grant awards; requires approval by the Secretary of Community Affairs or appropriation by the Legislature; provides for certain limitations on grant funds amounts; requires a report to the Governor and the Legislature detailing expenditures; authorizes the department to adopt rules; provides application evaluation criteria; authorizes certain sources of funding. Effective Date: July 1, 2006.

Utilities & Telecommunications Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; Commerce Council: Favorable

**HB 679 CS by Sobel, Carroll, Garcia, Gottlieb, Meadows, Peterman, Porth, Richardson, Ryan, Zapata** (Identical CS/SB 2602, Compare CS/SB 1324)

**Health-Related Education in the Public Schools;** Requires each school district to submit to the Department of Education copies of the district's school wellness policy and physical education policy and review the policies annually; requires the department and school districts to post links to the policies on their websites; requires the department to provide website links to certain resources; encourages school districts to provide training in first aid; requires that school district physical education programs and curricula be reviewed by a certified physical education instructor; encourages school districts to provide physical education for a specified amount of time; requires schools to annually provide parents and guardians with certain health-related information;

provides requirements relating to school health advisory committees. Effective Date: July 1, 2006.

PreK-12 Committee: Favorable With Committee Substitute; Health Care General Committee: Favorable; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable

**HB 691 CS by Negron, Baxley, Carroll, Davis, D., Goldstein, Hasner, Kottkamp, Needelman, Russell, Troutman** (Compare SB 1404)

**Tax on Sales, Use, and Other Transactions;** Provides for noncollection of the tax on a portion of the sales price of specified transactions during a specified period of time; authorizes the Department of Revenue to adopt rules; provides appropriations. Effective Date: upon becoming a law.

Finance & Tax Committee: Favorable With Committee Substitute; Fiscal Council: Favorable With Committee Substitute

**HB 741 CS by Greenstein** (Similar CS/SB 876, Compare HB 19 CS, CS/SB 1086)

**Florida Center for Solid and Hazardous Waste Management;** Designates the Florida Center for Solid and Hazardous Waste Management as the William W. "Bill" Hinkley Center for Solid and Hazardous Waste Management; directs the Department of Environmental Protection, in coordination with the University of Florida and the University of Florida Foundation, to erect suitable markers. Effective Date: July 1, 2006.

Colleges & Universities Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable; Education Council: Favorable

**HB 743 CS by Bowen, Flores, Hasner, Kendrick, Kreegel, Murzin, Stargel, Troutman, Waters** (Similar CS/SB 1646)

**Agricultural Usage Sales and Use Tax Exemptions;** Excludes from application of the sales and use tax diesel fuel used in specified farming vehicles or for farming purposes; exempts from the sales and use tax electricity used for specified agricultural purposes; provides a conclusive presumption of taxable use under specified circumstances. Effective Date: July 1, 2006.

Agriculture Committee: Favorable With Committee Substitute; Finance & Tax Committee: Favorable; Fiscal Council: Favorable; State Resources Council: Favorable

**HB 747 CS by Greenstein** (Similar SB 370)

**Health Professionals Treating Speech or Hearing Disorders;** Revises requirements for the Department of Health in issuing a provisional license to practice speech-language pathology or audiology; revises licensing requirements for applicants who graduated or are currently enrolled in a speech-language pathology or audiology program at a university located outside of the United States or Canada; authorizes the Board of Speech-Language Pathology and Audiology to waive certain requirements for applicants who received professional education in another country under certain circumstances; revises requirements for applicants to obtain professional employment in order to be licensed by the department to practice speech-language pathology or audiology; revises requirements for the department to issue a license to an applicant to practice speech-language pathology or audiology;

revises requirements for a person to be certified as an audiology assistant; requires an audiologist or speech-language pathologist to give an assistant a board-approved plan for training and to maintain responsibility for services performed by the assistant. Effective Date: July 1, 2006.

Health Care Regulation Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable

**HB 765 by Jennings** (Similar SB 502)

**Discounted Computers and Internet Access for Students;** Creates a program to offer discounted computers and Internet access to public school students and students in home education programs in grades 5 through 12; requires the Department of Education to negotiate terms with computer manufacturers, certain nonprofit corporations, and broadband Internet access providers; requires the State Board of Education to adopt rules, including rules for provision of technical training to students; requires the Digital Divide Council to implement a pilot project to assist low-income students with purchasing discounted computers and Internet access services; requires the council to identify eligibility criteria for participation in the pilot project; provides funding for implementation. Effective Date: July 1, 2006.

Choice & Innovation Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable

**HB 773 CS by Goodlette, Carroll, Hasner** (Similar CS/SB 720, Compare SB 1244)

**Initiative Procedures and Standards;** Revises requirements for verification of signatures on petitions; provides requirements for initiative sponsors filing for undue burden; provides procedures to contest alleged improper signature verification; repeals provisions relating to procedures for placement of initiatives on the ballot; revises procedures for placing an initiative on the ballot; provides requirements for information to be contained on petitions; provides procedure for revocation of a petition signature; requires a statement on the ballot regarding the financial impact statement; provides regulation for initiative petition circulators and their activities; repeals provisions relating to referenda and ballots; provides for verifying and counting signatures submitted for verification before the effective date of the act. Effective Date: August 1, 2006.

Ethics & Elections Committee: Favorable; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; State Administration Council: Favorable

**HB 791 CS by Fields, Joyner, Sansom** (Compare HB 121, CS/SB 254, SB 1738)

**Road Designations;** Designates Ms. Eddie Mae Steward Avenue, Dr. Mary L. Austin Jones Avenue, Mrs. Flossie Brunson Avenue, Dr. Robert L. Brown, Sr., Highway, and Ms. Barbara Van Blake Parkway in Duval County; designates Ms. MaVynne "The Beach Lady" Betsch Highway in Nassau County; designates Brian D. Little Road in Okaloosa County; designates John Land Apopka Expressway in Orange County; revises designation of Toussaint L'Ouverture Boulevard in Miami-Dade County; designates Reverend Gerard Jean-Juste Boulevard in Miami-Dade County; directs the Department of Transportation to erect suitable markers. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; State Infrastructure Council: Favorable

**HB 801 CS by Patterson, Baxley, Carroll** (Compare HB 7087, CS/SB 2048)

**Florida Ready to Work Certification Program;** Creates the program to enhance student workplace skills; provides for implementation; provides program components; authorizes rule-making. Effective Date: upon becoming a law.

Community Colleges & Workforce Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable; Education Council: Favorable

**HB 809 CS by Taylor, Bendross-Mindingall, Joyner, Porth, Roberson, Sands, Sobel** (Compare SB 1992)

**Assault or Battery on Homeless Persons;** Reclassifies offenses evidencing prejudice based on the homeless status of the victim; provides a minimum sentence and other penalties for a person convicted of an aggravated assault or aggravated battery upon a homeless person. Effective Date: October 1, 2006.

Criminal Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable With Committee Substitute; Justice Council: Favorable With Committee Substitute

**HB 815 by Russell, Patterson** (Identical SB 2150)

**Strangulation;** Provides that knowingly or intentionally impeding the normal breathing or circulation of the blood of another person in specified ways constitutes felony battery; provides an affirmative defense. Effective Date: October 1, 2006.

Criminal Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

**HB 817 CS by Murzin, Littlefield** (Similar CS/CS/SB 142, CS/SB 1544, Compare HB 1191 CS)

**Telecommunications Services;** Provides that a local exchange telecommunications company obligated to serve as the carrier of last resort is not obligated to provide basic local telecommunications service to customers in a multitenant business or residential property; requires the local exchange telecommunications company to notify the Public Service Commission when it is relieved of the obligation to provide service; provides for the local exchange telecommunications company to request a waiver of its carrier of last resort obligation from the commission; provides for carrier of last resort obligation to apply when specified conditions cease to exist; allows certain local exchange telecommunications companies to publish terms, conditions, and rates for nonbasic services in lieu of maintaining tariffs; revises the notice requirement for price changes to nonbasic services; removes a provision that allows a company to elect that its basic services be subject to the same regulatory treatment as its nonbasic services; provides for a request from a company to the commission to make certain reductions in its retail service quality requirements; revises criteria for granting a petition to change regulatory treatment of retail services. Effective Date: July 1, 2006.

Utilities & Telecommunications Committee: Favorable With Committee Substitute; Business Regulation Committee: Favorable

With Committee Substitute; Civil Justice Committee: Favorable; Commerce Council: Favorable With Committee Substitute

**HB 821 CS by Goodlette, Carroll, Farkas, Seiler** (Similar SB 784, Compare HB 1363 CS, CS/SB 132)

**Community Contribution Tax Credit Program;** Increases the amount of available tax credits against the sales tax, corporate income tax, and insurance premium tax, respectively, for projects under the community contribution tax credit program and provides separate annual limitations for specified projects; revises requirements and procedures for the Office of Tourism, Trade, and Economic Development in granting tax credits under the program. Effective Date: July 1, 2006.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Local Government Council: Favorable; Finance & Tax Committee: Favorable With Committee Substitute; Commerce Council: Favorable

**HB 839 CS by Kottkamp, Baxley, Davis, D., Garcia, Grant, Robaina, Ross, Zapata** (Similar HB 391 CS, CS/SB 2358, Compare HB 957 CS, SB 546, SB 2530)

**Community Associations;** Provides for the revival of certain covenants that have lapsed; prohibits local ordinances that limit the access of certain persons to beaches that adjoin condominiums; revises provisions relating to the amendment of declarations; provides legislative findings and a finding of compelling state interest; provides criteria for consent to an amendment; requires notice regarding proposed amendments to mortgagees; provides criteria for notification; provides for voiding certain amendments; revises the implementation date for retrofitting of common areas with a sprinkler system; provides that certain leaseholds, memberships, or other possessory or use interests shall be considered a material alteration or substantial addition to certain real property; provides retroactive application of provisions relating to mixed-use condominiums; provides a definition; prohibits laws, ordinances, or regulations that apply only to improvements that are or may be subjected to an equity club form of ownership; revises governing provisions relating to corporations that operate residential homeowners' associations; revises provisions relating to open meetings of the association; revises application to include certain meetings; requires the association to provide certain information to prospective purchasers or lienholders; authorizes the association to charge a reasonable fee for providing certain information; requires the budget to provide for annual operating expenses; authorizes the budget to include reserve accounts for capital expenditures and deferred maintenance; provides a formula for calculating the amount to be reserved; authorizes the association to adjust replacement reserve assessments annually; authorizes the developer to vote to waive the reserves or reduce the funding of reserves for a certain period; revises provisions relating to financial reporting; revises time periods in which the association must complete its reporting; repeals a provision relating to board meetings, to remove conflicting versions of that subsection; provides for architectural control covenants and parcel owner improvements; authorizes the review and approval of plans and specifications; provides limitations; provides rights and privileges for parcel owners as set forth in the declaration of covenants; provides that, where a member is entitled to collect attorney's fees against the association, the member may also recover additional amounts as determined by the court; provides that certain mergers or consolidations of an association shall not be considered a material or adverse alteration of the proportionate voting interest appurtenant to a parcel; requires

developers to deliver financial records to the board in any transition of association control to members; requires certain information to be included in the records and for the records to be prepared in a specified manner; provides circumstances under which a guarantee of common expenses shall be effective; provides for approval of the guarantee by association members; provides for a guarantee period and extension thereof; requires the stated dollar amount of the guarantee to be an exact dollar amount for each parcel identified in the declaration; provides payments required from the guarantor to be determined in a certain manner; provides a formula to determine the guarantor's total financial obligation to the association; provides that certain expenses incurred in the production of certain revenues shall not be included in the operating expenses; revises provisions relating to dispute resolution; provides that the filing of any petition for arbitration or the serving of an offer for presuit mediation shall toll the applicable statute of limitations; provides that certain disputes between an association and a parcel owner shall be subject to presuit mediation; revises provisions to conform; provides that temporary injunctive relief may be sought in certain disputes subject to presuit mediation; authorizes the court to refer the parties to mediation under certain circumstances; requires the aggrieved party to serve on the responding party a written offer to participate in presuit mediation; provides a form for such offer; provides that service of the offer is effected by the sending of such an offer in a certain manner; provides that the prevailing party in any subsequent arbitration or litigation proceedings is entitled to seek recovery of all costs and attorney's fees incurred in the presuit mediation process; requires the mediator or arbitrator to meet certain certification requirements; removes a requirement relating to development of an education program to increase awareness of the operation of homeowners' associations and the use of alternative dispute resolution techniques. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute;  
Judiciary Committee: Favorable With Committee Substitute;  
Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Justice Council: Favorable

**HB 849 CS by Flores, Quinones, Roberson, Zapata** (Similar SB 1128)

**Regulation of Foreign Language Court Interpreters;** Requires the Supreme Court to establish standards and procedures for qualifications, certification, conduct, discipline, and training of appointed foreign language court interpreters; requires the Supreme Court to set fees for certification applications; specifies the use and deposit of such fees; authorizes the Supreme Court to appoint or employ personnel for administration assistance purposes. Effective Date: July 1, 2006.

Judiciary Committee: Favorable With Committee Substitute;  
Business Regulation Committee: Favorable; Judiciary Appropriations Committee: Favorable With Committee Substitute; Justice Council: Favorable With Committee Substitute

**HB 859 CS by Baxley** (Similar CS/SB 1690)

**Probable Cause Panels;** Places a physician assistant on probable cause panels of the Board of Medicine and the Board of Osteopathic Medicine considering discipline of physician assistants; provides that certain rulemaking provisions are not required to implement specified probable cause panel provisions. Effective Date: July 1, 2006.

Health Care Regulation Committee: Favorable With Committee Substitute; Health & Families Council: Favorable

**HB 873 CS by Brandenburg, Patterson** (Compare HB 19 CS, HB 769 CS, CS/SB 1086, SB 1606, SB 1636)

**Building Designations;** Designates the new alumni center at Florida Atlantic University as the Marleen and Harold Forkas Alumni Center; designates the Florida Agricultural and Mechanical University-Florida State University College of Engineering Building as the Herbert F. Morgan Building; designates the art museum at the University Park Campus of Florida International University as the Patricia and Phillip Frost Art Museum; directs the erection of suitable markers. Effective Date: upon becoming a law.

Colleges & Universities Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable;  
Education Council: Favorable With Committee Substitute

**HB 889 CS by Machek**

**Fran Reich Preserve;** Designates the Site 1 Impoundment project of the Comprehensive Everglades Restoration Plan sponsored by the South Florida Water Management District as the Fran Reich Preserve; directs the South Florida Water Management District to erect suitable markers. Effective Date: July 1, 2006.

Water & Natural Resources Committee: Favorable With Committee Substitute; Agriculture & Environment Appropriations Committee: Favorable; State Resources Council: Favorable

**HB 899 by Richardson, Pickens** (Identical SB 1710, Compare HB 5005)

**Regional Consortium Service Organizations;** Requires the determination of services and use of funds to be established by the board of directors of a regional consortium service organization; authorizes establishment of purchasing and bidding programs in lieu of individual school district bid arrangements; authorizes establishment of an educational foundation governed by an educational foundation board of directors; provides for use of property, facilities, and personnel services by an educational foundation; requires audits. Effective Date: July 1, 2006.

PreK-12 Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable

**HB 935 CS by Benson** (Compare CS/SB 128)

**Temporary Buildings;** Considers modular, manufactured, and factory-built buildings not exceeding a 24-month occupancy from the date of a certificate of occupancy as temporary and exempts such buildings from soil and foundation requirements of the Florida Building Code; extends the certificate of occupancy for a temporary building for a limited time; imposes foundation requirements on such buildings. Effective Date: upon becoming a law.

Local Government Council: Favorable With Committee Substitute; Growth Management Committee: Favorable; State Infrastructure Council: Favorable

**HB 963 CS by Gannon, Robaina, Slosberg** (Similar CS/CS/SB 1450)

**License Plates;** Creates a Donate Organs-Pass It On license plate; provides for the distribution of annual use fees received from the sale of such plates. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable

**HB 971 by Sobel** (Identical SB 2810, Compare HB 343, SB 1314)

**Broward County;** Creates the Broward County Council for Services for Seniors as an independent special district to provide funding for services for seniors; authorizes ad valorem taxation and provides a millage cap; provides for a governing board for the district; specifies the powers and duties of the council; requires that all tax moneys collected be paid directly to the council by the Broward County Tax Collector and deposited in qualified public depositories; provides that the district may be amended or dissolved by a special act of the Legislature; authorizes the Broward County Board of County Commissioners to fund the budget of the council from its own funds after or during the council's first year of operation; requires the district to comply with statutory requirements related to the filing of a financial or compliance report; authorizes the district to seek grants and accept donations from public and private sources; requires a referendum. Effective Date: only upon approval by a majority vote of those qualified electors of Broward County voting in a referendum election to be called by the Broward County Board of County Commissioners and held in conjunction with the primary election held on September

Local Government Council: Favorable; Elder & Long-Term Care Committee: Favorable; Fiscal Council: Favorable

**HB 989 CS by Detert** (Similar SB 1932)

**Motor Fuel Taxes;** Provides for a refund of motor fuel taxes paid on motor fuel used for commercial aviation purposes. Effective Date: July 1, 2006.

Transportation Committee: Favorable; Finance & Tax Committee: Favorable With Committee Substitute; State Infrastructure Council: Favorable

**HB 1009 CS by Cretul, Goodlette** (Similar CS/SB 1816)

**Real Estate Profession Regulation;** Provides for broker associate or sales associate licensure as a professional limited liability company; revises and adds conditions for licensure; provides continuing education requirements for certain license renewal; requires the Florida Real Estate Commission to prescribe certain continuing education courses; increases a maximum disciplinary administrative fine; provides additional grounds for discipline for brokers; provides filing limitations for administrative complaints against sales associates; requires the Department of Business and Professional Regulation or the commission to provide notification to certain persons upon the department's or commission's filing of a formal complaint against a licensee; revises the required information on a transaction broker notice, a single agent notice, and a no brokerage relationship notice; requires schools teaching real estate practice to keep certain records and documents and make them available to the department; requires certain personnel of schools teaching real estate practice to deliver course rosters to the department by a certain date; specifies the information required in a course roster; revises a provision relating to rental information given by a broker or sales associate to a prospective tenant; revises a provision relating to commission notice recording; revises the award of costs and attorney's fees in civil actions concerning commission; revises the method by which an owner's net proceeds are computed; removes an exception from a buyer's broker

provision shielding the rights and remedies available to an owner, a buyer, or a buyer's broker; revises a provision relating to the recordation of lien notices; provides that the recording of a broker's lien notice or any extension thereof and any lis pendens shall not constitute notice of the existence of any lease. Effective Date: July 1, 2006.

Business Regulation Committee: Favorable; Civil Justice Committee: Favorable; State Administration Appropriations Committee: Favorable; Commerce Council: Favorable With Committee Substitute

**HB 1037 CS by Rivera, Bogdanoff, Glorioso, Goldstein, Sansom** (Compare SB 2156)

**Campaign Financing;** Allows unopposed legislative candidates to transfer surplus campaign funds to or retain such funds in a campaign account for reelection to the same office; establishes limits on the transferable amount of such funds; provides a prohibition from fundraising under certain conditions. Effective Date: July 1, 2006.

Ethics & Elections Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; State Administration Council: Favorable With Committee Substitute

**HB 1047 CS by Stargel** (Similar CS/CS/SB 2184)

**Parental Relocation with a Child;** Deletes standards for determining whether to allow a primary residential parent to move a child; provides for notification of certain persons of the intent to relocate the child and provides procedures therefor; requires certain information to be provided on a Notice of Intent to Relocate; provides procedures for objecting to the relocation of a child; provides applicability of public records law; provides for content of an objection to relocation; authorizes the court to grant a temporary order restraining the relocation of a child; prohibits certain presumptions and requires certain factors to be evaluated by the court with regard to relocation of a child; assigns the burden of proof in cases of relocation of a child; authorizes the court to order certain contact with the child by the nonrelocating party; grants priority for certain hearings and trials; provides applicability. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute; Future of Florida's Families Committee: Favorable; Justice Council: Favorable

**HB 1059 by Rivera, Lopez-Cantera** (Similar SB 2706)

**Deduction and Collection of a Bargaining Agent's Dues and Uniform Assessments;** Eliminates a right of certain bargaining agents to have certain dues and assessments deducted and collected by an employer from certain employees; provides legislative findings and intent; provides that the deduction and collection of certain dues and assessments is a proper subject of collective bargaining; provides requirements and limitations; provides for accounting of funds; provides for enforcement. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable; State Administration Council: Favorable

**HB 1063 CS by Stansel** (Compare CS/CS/SB 1090)

**Regulation of Wells;** Authorizes licensed water well contractors to facilitate work by certain licensed contractors under certain circumstances; provides a definition; requires the Department of Environmental Protection to establish by rule a fee to cover the cost of implementing the continuing education requirements; provides a maximum fee amount; authorizes the department to delegate certain authority to the water management districts; authorizes the department or a water management district to contract with a private entity to carry out certain responsibilities relating to continuing education; waives continuing education requirements for license renewal of certain water well contractors; provides water well contractor license extensions for certain servicemembers and their spouses under certain circumstances; provides for exemption from certain costs or fees under certain circumstances; increases the amount of the administrative fine a water management district may impose for certain water well contracting violations; provides fines for persons or entities drilling a water well without a license or contracting with unlicensed water well contractors for water well services; requires the department to establish policies and procedures for the enforcement of the fines. Effective Date: July 1, 2006.

Water & Natural Resources Committee: Favorable; Military & Veteran Affairs Committee: Favorable With Committee Substitute; Agriculture & Environment Appropriations Committee: Favorable With Committee Substitute; State Resources Council: Favorable

**HB 1065 CS by Jordan, Baxley, Cretul, Grant** (Similar CS/SB 2034)

**Educational Opportunities for Children and Spouses of Deceased or Disabled Veterans and Servicemembers;** Provides that it is the declared policy of the state to provide educational opportunity at state expense for spouses of deceased or disabled servicemembers; provides criteria for qualification for such benefits for unremarried spouses of deceased servicemembers and dependent spouses of disabled servicemembers; specifies uses of funds appropriated for such educational opportunities; revises terminology; removes a limitation with respect to the provision of educational opportunity at state expense for dependent children either of whose parents became classified as prisoners of war or missing in action in the service of the Armed Forces of the United States or civilian personnel captured while serving with the consent or authorization of the United States Government. Effective Date: July 1, 2006.

Community Colleges & Workforce Committee: Favorable; Military & Veteran Affairs Committee: Favorable; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable

**HB 1067 CS by Grimsley, Bullard** (Similar CS/SB 1922)

**State Long-Term Care Ombudsman Program;** Revises legislative findings and intent; revises provisions relating to qualifications of the State Long-Term Care Ombudsman; revises duties of the legal advocate; revises duties and responsibilities of the State Long-Term Care Ombudsman; requires an annual report; repeals provisions relating to the Office of State Long-Term Care Ombudsman and departments of state government; revises duties and membership of the State Long-Term Care Ombudsman Council; provides for election of a local council member from each local council to provide representation on the state council; authorizes the Secretary of Elderly Affairs to recommend to the

Governor appointments to at-large positions on the state council; provides conditions for removal of members of and for filling vacancies on the state council; provides for election of officers and meetings; provides for per diem and travel expenses if approved by the ombudsman; authorizes the State Long-Term Care Ombudsman to designate and direct local long-term care ombudsman councils; requires approval by the Secretary of Elderly Affairs of jurisdictional boundaries designated by the ombudsman; revises duties of the local long-term care ombudsman councils; provides requirements and application for membership, election of officers, and meetings of a local long-term care ombudsman council; provides conditions for removal of members; provides for travel expenses for members of the council; consolidates provisions relating to conflicts of interest of the ombudsman; provides rulemaking authority to the Department of Elderly Affairs regarding conflicts of interest; requires the department to adopt rules relating to procedures for receiving, investigating, and assessing complaints against long-term care facilities; deletes provisions requiring certain approval by the Secretary of Elderly Affairs and the ombudsman and the posting and distribution of copies of such procedures; provides conditions for investigations of complaints by state and local ombudsman councils; provides that refusing to allow the ombudsman or a member of a state or local council to enter a long-term care facility is a violation of ch. 400, F.S.; deletes conditions for onsite administrative inspections; provides conditions and requirements for onsite administrative assessments of nursing homes, assisted living facilities, and adult family-care homes; prohibits forcible entry of long-term care facilities; provides that refusing to allow the ombudsman or a member of a state or local council to enter a long-term care facility is a violation of ch. 400, F.S.; provides complaint and notification procedures for state and local councils; provides circumstances in which information relating to violations by a long-term care facility is provided to a local law enforcement agency; requires information relating to the State Long-Term Care Ombudsman Program to be provided to residents of long-term care facilities or their representatives; provides for immunity from liability for certain persons; requires long-term care facilities to provide the Office of State Long-Term Care Ombudsman and state and local councils and their members with access to the facility and the records and residents of the facility; authorizes rather than requires the department to adopt rules regarding access to facilities, records, and residents; prohibits certain actions against persons who file complaints; provides penalties; provides for oversight by and responsibilities of the department; requires the department to provide certain funding for the State Long-Term Care Ombudsman Program; requires the office to maintain a data reporting system relating to complaints about and conditions in long-term care facilities; requires the office to publish and include certain information in its annual report; provides for training of employees of the office and members of the state and local councils; requires the ombudsman to approve the curriculum and provides contents thereof; requires certification of employees by the ombudsman. Effective Date: upon becoming a law.

Elder & Long-Term Care Committee: Favorable With Committee Substitute; Governmental Operations Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable

**HB 1079 CS by Altman, Farkas, Williams** (Compare CS/SB 1832)

**Exemption from the Tax on Sales, Use, and Other Transactions;** Defines the term "qualified aircraft"; includes qualified aircraft under specified miscellaneous exemption provisions relating to

aircraft; exempts specified advertising materials distributed free of charge by mail in an envelope; provides criteria, requirements, and limitations on exemptions for purchases or leases of qualified aircraft. Effective Date: July 1, 2006.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Finance & Tax Committee: Favorable; Commerce Council: Favorable With Committee Substitute

**HB 1107 CS by Jennings, Sansom** (Similar SB 1664, Compare CS/SB 254)

**Road Designations;** Designates Rosa Parks Memorial Highway in Marion, Alachua, and Bradford Counties; directs the Department of Transportation to erect suitable markers. Effective Date: July 1, 2006.

Transportation Committee: Favorable; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable With Committee Substitute

**HB 1129 CS by Henriquez, Flores, Zapata** (Compare SB 2026)

**Florida State Employees' Charitable Campaign;** Requires that undesignated campaign funds be shared proportionally by the participating charitable organizations with certain identified programs in this state based on the percentage of designations in each fiscal agent area; removes the fiscal agent's right to select the steering committee members. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable; State Administration Council: Favorable With Committee Substitute

**HB 1135 CS by Hukill, Altman, Bucher, Carroll, Flores, Gannon, Gibson, A., Goldstein, Lopez-Cantera, Murzin, Proctor, Reagan, Traviesa, Williams, Zapata** (Similar HB 1611, CS/CS/SB 2060, Compare SB 2652)

**Practice of Architecture and Interior Design;** Defines "responsible supervising control"; authorizes the Board of Architecture and Interior Design to adopt certain rules relating to responsible supervising control; authorizes certain architects to use the title "Architect, Retired" and certain interior designers to use the title "Interior Designer, Retired." Effective Date: July 1, 2006.

Business Regulation Committee: Favorable With Committee Substitute; State Administration Appropriations Committee: Favorable; Commerce Council: Favorable With Committee Substitute

**HB 1143 CS by McInvale, Hasner** (Similar CS/SB 350, Compare SB 312)

**Economic Development Incentives;** Provides for distribution of a portion of revenues from the tax on sales, use, and other transactions to specified units of local government owning eligible convention centers; requires the Department of Revenue to prescribe forms; provides for future repeal; provides for certification by the Office of Tourism, Trade, and Economic Development of units of local government owning eligible convention centers; requires the office to adopt specified rules; provides requirements for certification; provides for use of proceeds distributed to units of local government; provides for revocation of certification; provides for future repeal. Effective Date: July 1, 2006.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Finance & Tax Committee: Favorable With Committee Substitute; Commerce Council: Favorable

**HB 1153 CS by Coley, Allen, Ambler, Evers** (Similar CS/SB 1290)

**Concealed Weapons;** Provides that a concealed weapon or firearm license of a servicemember serving on military orders away from his or her residence shall not expire until 180 days after the date upon which the servicemember returns from serving on military orders; provides procedures and requirements with respect to the extension. Effective Date: July 1, 2006.

Agriculture Committee: Favorable; Military & Veteran Affairs Committee: Favorable With Committee Substitute; State Resources Council: Favorable

**HB 1157 CS by Mayfield, Sobel** (Similar SB 2178)

**Dental Charting;** Expands the scope and area of practice of dental hygienists to include dental charting; provides for regulation of dental charting; authorizes dental hygienists to perform dental charting under certain conditions; regulates the use and content of disclosure and charting forms; requires the Board of Dentistry to approve disclosure and charting forms; limits the applicability of dental charting; provides restrictions on periodontal probe use in dental charting; provides restrictions on dental charting reimbursement, referrals made in conjunction with the provision of dental charting services, and the provision of dental charting by a dental hygienist without supervision. Effective Date: July 1, 2006.

Health Care Regulation Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable

**HB 1183 CS by Russell** (Similar SB 2838)

**Hernando County Special Election Validation;** Validates all acts and proceedings had and taken in connection with the special election held in Hernando County on March 9, 2004, to authorize the levy of a discretionary sales surtax in Hernando County for the purpose of providing funds to finance the cost of new schools and equipment and improvements associated with such schools within the county; declares such special election legal and valid. Effective Date: upon becoming a law.

Local Government Council: Favorable; Finance & Tax Committee: Favorable With Committee Substitute

**HB 1187 CS by Murzin** (Similar CS/CS/SB 1774, Compare HB 1209, CS/CS/SB 1336, SB 2664)

**Florida Building Code;** Authorizes the Florida Building Commission to update and modify wind-design standards; provides criteria, requirements, and limitations; provides for delayed effect; supersedes specified provisions of law; deletes the definition of "exposure category C"; authorizes the Florida Building Commission to make limited amendments to the Florida Building Code pursuant to rule adoption procedures after triennial updates; authorizes authorities to enforce such amendments; specifies amendment criteria; prohibits interpretation and review of specified accessibility provisions of specified building codes; provides for the use of private providers of building code inspection services; authorizes the State Fire Marshal to amend the Florida Fire Protection Code; provides amendment criteria and limitations;

provides for enforcement of the code and code amendments; requires the Department of Community Affairs to use a portion of specified appropriations for Florida Building Code education and training purposes; requires specified tax-exempt entities to use funds provided by the Department of Community Affairs for specified purposes. Effective Date: July 1, 2006.

Local Government Council: Favorable With Committee Substitute; Growth Management Committee: Favorable With Committee Substitute; State Infrastructure Council: Favorable With Committee Substitute

#### **HB 1193 CS by Kottkamp** (Similar SB 2468)

**Driving Under the Influence;** Provides a short title; provides that, if a person drives under the influence of alcohol or a specified chemical or controlled substance and causes damage to property or person, serious bodily injury, or death to another human being or unborn quick child, a rebuttable presumption is created that the person caused or contributed to causing damage to property or person, serious bodily injury, or death to another human being or unborn quick child; provides that, if a person drives under the influence of alcohol or a specified chemical or controlled substance, a rebuttable presumption is created that the person operated a motor vehicle in a reckless manner likely to cause death or great bodily harm to another human being. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Transportation Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

#### **HB 1237 CS by Mealor, Hasner** (Compare HB 1229, CS/SB 918, CS/SB 2084)

**Special Postsecondary Education Programs;** Creates the 21st Century Technology, Research, and Scholarship Enhancement Act; establishes the Florida Technology, Research, and Scholarship Board within the Board of Governors of the State University System to make recommendations to the Board of Governors regarding the 21st Century World Class Scholars Program and the Centers of Excellence Program; provides for expiration of the act; provides appropriations; authorizes colleges of medicine at the University of Central Florida and Florida International University. Effective Date: July 1, 2006.

Colleges & Universities Committee: Favorable With Committee Substitute; Economic Development, Trade & Banking Committee: Favorable; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable With Committee Substitute

#### **HB 1243 CS by Mahon, Arza** (Similar SB 1148)

**Education Personnel;** Authorizes a regional professional development academy to receive funds from certain sources for the purpose of developing programs and services; provides that a regional professional development academy is not a component of any school district or governmental unit to which it provides services. Effective Date: July 1, 2006.

PreK-12 Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable; Education Council: Favorable With Committee Substitute

#### **HB 1291 CS by Poppell, Joyner** (Similar SB 2438)

**Weapons;** Revises the definition of the term "weapon"; revises and clarifies provisions related to the prohibited exhibition and possession of specified weapons and firearms at a school-sponsored event or on school property; clarifies provisions with respect to prohibited trespass on school property with a firearm or other weapon. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; PreK-12 Committee: Favorable; Justice Council: Favorable

#### **HB 1293 CS by Grant** (Similar SB 2160)

**Medical Malpractice Insurance;** Creates the Patient Safety and Provider Liability Act; requires hospitals that assume liability for acts of medical negligence under the act to carry insurance; authorizes an eligible hospital to petition the Agency for Health Care Administration to enter an order certifying the hospital as a patient-safety facility; provides requirements for certification as a patient-safety facility; authorizes the agency to enter an order certifying a hospital as a patient-safety facility and provides that the hospital bears liability for acts of medical negligence for its health care providers or an agent of the hospital; authorizes the agency to conduct onsite examinations of a licensed facility; provides circumstances when the agency may revoke its order certifying approval of an enterprise plan; requires a certified patient-safety facility to submit an annual report to the agency and the Legislature; authorizes certain teaching hospitals and eligible hospitals to petition the agency for certification; provides for limitations on damages for eligible hospitals that are certified for compliance with certain patient-safety measures. Effective Date: upon becoming a law.

Health Care Regulation Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

#### **HB 1297 CS by Poppell** (Similar SB 1914)

**Town of Grant-Valkaria, Brevard County;** Creates the Town of Grant-Valkaria and provides its charter and corporate boundaries; provides for a town council-administrator form of government; provides home rule powers; restricts the use of eminent domain; authorizes the levy of certain taxes within the town; prohibits the issuance of certain bonds or entering into certain types of contracts unless approved by referendum; provides for town elections; provides for conduct of officials in office; requires a long-range plan and a 5-year financial plan; provides for charter amendment, review, and dissolution; provides for regulation of land use, zoning, and development; provides for transition, including an interim council, sources of revenues, and continuity of services; requires a referendum. Effective Date: upon approval by a majority vote of those qualified electors of the area described in subsection (5) of section 1 voting in a referendum to be called by the Brevard County Supervisor of Elections on or before August 1, 2006, except that this section

Local Government Council: Favorable; Finance & Tax Committee: Favorable With Committee Substitute

#### **HB 1325 CS by Culp, Baxley** (Similar SB 2356)

**Controlled Substances;** Requires the Department of Children and Family Services to file a petition for dependency for the children of parents involved in certain controlled substance crimes; revises

provisions relating to criminal penalties for controlled substance violations that result in serious injury to specified individuals; prohibits refusal to issue a life insurance policy to or refusal to cancel or nonrenew life or health insurance policies or certificates of insurance providing coverage to specified local, state, or federal employees due to exposure to toxic chemicals or due to disease or injury incurred in their duties related to controlled substance law violations committed by others; provides penalties; revises a definition; revises provisions relating to pretrial release of certain defendants charged with certain controlled substance offenses. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

#### **HB 1341 by Joyner, Seiler (Similar SB 2190)**

**Fiduciary Lawyer-Client Privilege;** Provides that a client acts as a fiduciary when serving in specified positions; provides that a communication between a lawyer and a client acting as a fiduciary is privileged and protected from disclosure; provides construction in application. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable; Justice Council: Favorable

#### **HB 1367 CS by Evers, Reagan (Similar SB 2472, Compare CS/SB 2590)**

**Contracting Exemptions;** Revises exemptions for certain owners of property from certain contracting provisions; increases maximum construction costs allowed for exemption; requires owners of property to satisfy certain local permitting agency requirements; provides for penalties; provides an exemption for owners of property damaged by certain natural causes; provides that a business organization entering into a construction contract is not deemed unlicensed under certain conditions; provides for retroactive application. Effective Date: July 1, 2006.

Business Regulation Committee: Favorable; Local Government Council: Favorable; Commerce Council: Favorable With Committee Substitute

#### **HB 1395 CS by Sorensen, Glorioso (Similar CS/SB 224)**

**Traffic Safety;** Creates the "Road Rage Reduction Act"; prohibits a person from operating a motor vehicle in the most left-hand lane under described circumstances; provides penalties for violations; redefines the term "aggressive careless driving"; provides penalties for aggressive careless driving; provides for distribution of certain fines collected; requires a hearing for a second or subsequent aggressive careless driving violation; requires the Department of Highway Safety and Motor Vehicles to provide an educational awareness campaign. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable With Committee Substitute

#### **HB 1411 CS by Benson (Compare SB 2786)**

**Public Records;** Provides an exemption from public records requirements for patient medical or health records, trade secrets, and certain other information that is confidential or exempt contained in records of the Florida Health Information Network,

Inc.; provides an exception to the exemption; provides for review and repeal; provides a statement of public necessity. Effective Date: July 1, 2006, if House Bill 1409 or similar legislation is adopted in the same legislative session or an extension thereof and becomes law.

Health Care Regulation Committee: Favorable; Governmental Operations Committee: Favorable; Health & Families Council: Favorable With Committee Substitute

#### **HB 1413 CS by Brown**

**Argyle Fire District, Walton County;** Creates the Argyle Fire District, an independent special district; provides a charter; provides boundaries; provides for a board of commissioners, election, powers and duties, and terms of office; preserves authority to impose special assessments; provides for impact fees; provides for use of district funds; requires an annual report. Effective Date: upon becoming a law.

Local Government Council: Favorable With Committee Substitute; Finance & Tax Committee: Favorable

#### **HB 1415 CS by Sansom, Allen, Bullard, Kendrick, Proctor (Identical CS/SB 1878)**

**Traffic Control;** Exempts certain nonprofit organizations from permit requirements related to obstructing streets or roads for solicitation purposes; establishes conditions certain nonprofit organizations must meet in order to solicit charitable donations on or along certain streets, roads, and rights-of-way; authorizes local governments to halt solicitation activities if conditions are not met. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; State Infrastructure Council: Favorable

#### **HB 1419 by Attkisson**

**Scuba Diving Instructional Facilities;** Provides that certain scuba diving instructional facilities are not under the jurisdiction or purview of the Commission for Independent Education and are not required to obtain licensure. Effective Date: July 1, 2006.

Community Colleges & Workforce Committee: Favorable; Education Appropriations Committee: Favorable; Education Council: Favorable

#### **HB 1443 CS by Russell, Traviesa (Similar CS/SB 588, Compare HB 7153 CS)**

**Liens;** Extends the effective date of a financing statement filed under previous law; revises certain notice of commencement and applicability of lien requirements for certain authorities issuing building permits; prohibits private providers performing inspection services from performing or approving certain inspections under certain circumstances; increases a threshold amount for certain application requirement exemptions; prohibits issuing authorities from requiring recordation of a notice of commencement for certain purposes; authorizes fees for furnishing copies of certain statements; authorizes authorities issuing building permits to accept permit applications electronically; requires an electronic submission statement on building permit applications; requires provision of Internet access; provides for electronic evidence of delivery of notices required by the Construction Lien Law; revises provisions relating to the making or furnishing of false statements on certain

construction documents; provides penalties. Effective Date: October 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute;  
Local Government Council: Favorable With Committee Substitute;  
Justice Council: Favorable With Committee Substitute

**HB 1465 CS by Altman, Harrell** (Similar CS/CS/CS/SB 2020)

**Speed Limit Enforcement on State Roads;** Creates a pilot program for establishment by the Department of Transportation of enhanced penalty speed zones on state roads in certain counties; authorizes the department to set speed limits within enhanced penalty zones; directs the department to adopt a uniform system of traffic control devices to be used within the zones; prohibits operation of a vehicle at a speed greater than that posted in the enhanced penalty zone; directs the Department of Highway Safety and Motor Vehicles to tabulate citations issued within enhanced penalty zones and make available certain information; directs the DOT, the DHSMV, and the Department of Education to conduct a study and report to the Governor and the Legislature; specifies criteria for posting in a construction zone; provides penalties for violation of posted speed in an enhanced penalty zone. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute;  
Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; State Infrastructure Council: Favorable With Committee Substitute

**HB 1467 CS by Grant, Hasner, Williams** (Similar CS/SB 2668, Compare CS/SB 2656)

**Capital Formation;** Creates the Florida Capital Formation Act; requires the Office of Tourism, Trade, and Economic Development to account for specified moneys separately within the Economic Development Trust Fund; requires the office to make specified funds available for investment by the State Board of Administration; provides for deducting specified fees and expenses; requires the State Board of Administration to liquidate investments and advance proceeds to the Florida Opportunity Fund; provides investment requirements for the State Board of Administration; provides operational requirements for the Florida Opportunity Fund; requires Enterprise Florida, Inc., to organize the Florida Opportunity Fund as a wholly owned private, not-for-profit limited liability Florida-based company; requires Enterprise Florida, Inc., to annually evaluate the company and report to the Governor and Legislature; provides for a board of directors for the company; provides for appointment and terms of board members; provides requirements and limitations for board members; requires board members to serve without compensation; provides for reimbursement of expenses of board members and company officers and employees; specifies powers of the company; authorizes the company to indemnify board members; specifies a fiduciary duty of board members and company officers and employees; subjects the company to public meetings and public records requirements; specifies duties of the company; requires the company to select a Florida Opportunity Fund allocation manager; specifies duties and requirements of the allocation manager; requires the company to guarantee private capital investments in the company; provides requirements for such guarantees; specifies investment requirements for the company; specifies investment limitations and prohibitions for the company; requires the company to issue an annual report to the Governor and the Legislature; specifies report requirements; provides for an independent audit; provides for a transfer of nonrecurring funds in the General Revenue Fund to the

Economic Development Trust Fund for subsequent investment in the Florida Opportunity Fund; provides for retention of balances in the trust fund each year; provides for continuing appropriation and use of such moneys for a specified time period; provides for return of specified funds to the General Revenue Fund; requires the company to continue administering investments for specified purposes; provides for continuous reinvestment of specified funds by the company; provides for reversion of assets and funds of the company to the General Revenue Fund; prohibits Enterprise Florida, Inc., from selling or transferring ownership of the company. Effective Date: July 1, 2006.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; Commerce Council: Favorable

**HB 1469 CS by Grant, Williams** (Compare CS/SB 2656, CS/SB 2668)

**Public Records;** Creates an exemption from public records requirements for proprietary confidential business information held by the Florida Opportunity Fund regarding alternative investments; provides for limited duration of the exemption; provides definitions; defines "proprietary confidential business information" and specifies information which does not constitute proprietary confidential business information; authorizes the inspection and copying of confidential and exempt records if the proprietor of the information fails to verify that a record contains certain information within a specified period of time; authorizes a court to order the release of confidential and exempt records upon making certain findings; provides for future review and repeal; provides a statement of public necessity. Effective Date: July 1, 2006, if House Bill 1467 or similar legislation is adopted in the same legislative session or an extension thereof and becomes law.

Economic Development, Trade & Banking Committee: Favorable With Committee Substitute; Governmental Operations Committee: Favorable With Committee Substitute; Commerce Council: Favorable

**HB 1483 CS by Attkisson** (Similar SB 2766)

**Grove Community District, Okeechobee County;** Creates the Grove Community District; provides findings, determinations, ascertainment, intent, purpose, definitions, and policy; provides a charter; provides jurisdiction; provides boundaries; provides district powers; provides for a governing board and terms of office and duties thereof; provides for elections; provides for bonds; provides for borrowing; provides for future transition to ad valorem taxation; provides for special assessments; provides for election of an incorporation committee to review feasibility of incorporating the district as a municipality; provides for a referendum. Effective Date: upon becoming a law, except that the provisions of paragraph (a) of subsection (14) of section 4 which authorize the levy of ad valorem assessments shall only take effect upon express approval by a majority vote of those qualified electors of the di

Local Government Council: Favorable; Finance & Tax Committee: Favorable With Committee Substitute

**HB 1495 by Arza** (Identical SB 2536)

**Marriage Licenses;** Deletes provisions authorizing the court to issue a marriage license upon the sworn application that both minor applicants are the parents of a child or the expectant parents of a

child; deletes provisions authorizing the court to issue a marriage license upon written verification by a physician and sworn application that the minor female applicant is an expectant parent; provides, as a result, that no license to marry shall be granted to any person under the age of 16 years, with or without the consent of the parents. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable; Future of Florida's Families Committee: Favorable; Justice Council: Favorable

#### **HB 1501 CS by Berfield (Compare SB 2432)**

**Agent Licensing;** Authorizes travel agents to solicit and sell air ambulance transportation prepaid limited health service contracts. Effective Date: July 1, 2006.

Agriculture Committee: Favorable; Insurance Committee: Favorable With Committee Substitute; State Resources Council: Favorable

#### **HB 1527 CS by Stargel, Arza**

**Parental Notification of Termination of a Minor's Pregnancy;** Provides procedural requirements for actual notice given by telephone; provides procedural requirements for certain waivers of notice; revises the procedures for judicial waiver of notice; revises evidentiary standards for a court determining judicial waiver of notice; provides factors with which a court determines whether a minor is sufficiently mature; revises the best interest standard; requires the Supreme Court to include in reports reasons for judicial waiver of notice; provides for the application of mandatory child abuse reporting provisions. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable With Committee Substitute; Justice Council: Favorable With Committee Substitute

#### **HB 1531 CS by Brandenburg**

**West Palm Beach Water Catchment Area, Palm Beach County;** Revises the legal description of the West Palm Beach Water Catchment Area in Palm Beach County; authorizes the licensing or permitting of certain uses within the water catchment area. Effective Date: upon becoming a law.

Local Government Council: Favorable With Committee Substitute

#### **HB 1533 by Sands, Allen (Identical SB 2126)**

**Petroleum Contamination;** Creates a presumption regarding the source of a subsequently discovered discharge at certain petroleum contamination sites; provides exceptions to the application of the presumption; specifies that certain provisions concerning site rehabilitation agreements do not apply to a subsequently discovered discharge; prohibits the Department of Environmental Protection from requiring soil or groundwater sampling relating to closure assessments at certain petroleum contamination sites; specifies responsibilities of a facility owner or operator. Effective Date: upon becoming a law.

Environmental Regulation Committee: Favorable; Agriculture & Environment Appropriations Committee: Favorable; State Resources Council: Favorable

#### **HB 1559 CS by Poppell**

**Brevard County;** Creates the Viera Stewardship District; provides legislative findings and intent; provides boundaries; provides for a board of supervisors and election, terms of office, duties, and meetings; provides for a district manager, district personnel, and treasurer; provides powers of the district. Effective Date: upon this act becoming law, and the remaining sections shall take effect upon approval by a majority vote of the owners of land within the district who are not exempt from ad valorem taxes or non-ad valorem assessments and who are present in person

Local Government Council: Favorable With Committee Substitute; Finance & Tax Committee: Favorable

#### **HB 1561 CS by Brummer, Carroll, Harrell, Hays, Murzin (Similar SB 2686)**

**Medical Negligence Litigation;** Requires the Board of Medicine and the Board of Osteopathic Medicine, respectively, to issue expert witness certificates to out-of-state-licensed physicians who meet specified criteria; provides requirements for certification; requires the boards to implement rules and set fees; provides that fraudulent, deceptive, or misleading expert witness testimony is grounds for disciplinary action; provides penalties; revises criteria for prevailing professional standards of care for health care providers in specified actions; provides that medical expert testimony is not admissible unless the expert witness meets specified requirements; requires claimants in medical negligence litigation to conduct a presuit investigation of each named prospective defendant. Effective Date: October 1, 2006.

Health Care General Committee: Favorable With Committee Substitute; Health & Families Council: Favorable With Committee Substitute

#### **HB 1577 by Brandenburg (Identical SB 1964)**

**Personal Identification Information;** Prohibits willful, fraudulent, and unauthorized use of personal identification information concerning an individual who is 65 years of age or older without consent; provides penalties; prohibits a person in the relationship of adult child or legal guardian, or who otherwise exercises custodial authority over an individual who is 65 years of age or older, from wilfully and fraudulently using personal identification information of that individual; provides penalties. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

#### **HB 1589 CS by Smith, Bullard, Davis, M., Gottlieb, Meadows, Porth (Compare CS/CS/SB 2238)**

**Specialty License Plates;** Revises specialty license plate use fee provisions to change a name; establishes an annual use fee for the Homeownership for All license plate; exempts collegiate license plates from discontinuance requirements; revises authorized uses of the use fees received from sales of the Keep Kids Drug-Free license plate; changes the name of the Florida Memorial College license plate to the Florida Memorial University license plate; revises authorized uses of the use fees received from sales of the Sportsmen's National Land Trust license plate; creates the Homeownership for All license plate and provides for distribution of the fees received from sales of the plate; creates special license plates for legislative presiding officers. Effective Date: July 1, 2006.

Transportation Committee: Favorable With Committee Substitute; Transportation & Economic Development Appropriations Committee: Favorable; State Infrastructure Council: Favorable With Committee Substitute

**HB 1593 CS by Barreiro** (Identical CS/SB 2322)

**Cybercrime;** Creates the Cybercrime Office within the Department of Legal Affairs; authorizes the office to investigate certain violations of state law pertaining to the sexual exploitation of children; provides that investigators employed by the office are law enforcement officers of the state; authorizes the Attorney General to carry out certain duties and responsibilities; requires the Attorney General to provide notice of an arrest to the local sheriff. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

**HB 1619 CS by Murzin** (Compare HB 1377 CS, SB 518, SB 2748)

**District School Boards;** Allows students to wear sun-protective items while outdoors during school hours; authorizes use of federal funds to purchase food when federal guidelines permit; authorizes district school boards to select vendors to market student class rings; provides criteria for selection of such vendors; authorizes district school boards to contract with photographers for the purpose of taking student yearbook photographs; permits the inclusion of certain photographs in student yearbooks; revises provisions for district school board transportation of students in vehicles other than school buses; authorizes use of such vehicles for trips to and from certain sites and activities; revises criteria for such vehicles and their use; requires district school boards and charter schools to adopt a policy that addresses procedures and liability for trips using vehicles other than school buses; redesignates the Florida Business and Education in School Together (Florida BEST) Program as A Business-Community School (ABC'S) Program. Effective Date: July 1, 2006.

PreK-12 Committee: Favorable With Committee Substitute; Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable With Committee Substitute

**HB 1621 CS by Mayfield** (Similar SB 1948)

**Coastal Properties Disclosure Statements;** Requires sellers of certain coastal properties to give a written disclosure statement to prospective purchasers; provides language for the disclosure statement; preserves the enforceability of certain contracts and title conveyances. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable; Agriculture & Environment Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

**HB 5029 by Fiscal Council, Kottkamp**

**Court Technology Trust Fund;** Creates the Court Technology Trust Fund within the state courts system; provides for sources of funds and purposes; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**HB 5031 by Fiscal Council, Kottkamp** (Identical CS/SB 2348)

**Operating Trust Fund;** Creates the Operating Trust Fund within the state courts system; provides for sources of funds and purposes; provides for future review and termination or re-creation of the trust fund; conforms provisions; directs certain fees collected by the Clerk of the Supreme Court, the trial court administrator of each circuit, and the clerk of each district court and certain fees paid to the Supreme Court by court reporters to be deposited into the trust fund in lieu of another trust fund. Effective Date: July 1, 2006.

Calendar without reference

**HB 5033 by Fiscal Council, Kottkamp** (Identical SB 2350)

**Federal Grants Trust Fund;** Creates the Federal Grants Trust Fund within the state courts system; provides for sources of funds and purposes; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**HB 5035 by Fiscal Council, Barreiro** (Identical SB 2340)

**Administrative Trust Fund;** Creates the Administrative Trust Fund within the Department of Corrections; provides for sources of funds and purposes; provides for annual carryforward of funds; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**HB 5037 by Fiscal Council, Barreiro** (Identical SB 2342)

**Federal Grants Trust Fund;** Creates the Federal Grants Trust Fund within the Department of Corrections; provides for sources of funds and purposes; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**HB 5039 by Fiscal Council, Barreiro** (Identical SB 2344)

**Administrative Trust Fund;** Creates the Administrative Trust Fund within the Department of Law Enforcement; provides for sources of funds and purposes; provides for annual carryforward of funds; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**HB 5041 by Fiscal Council, Barreiro** (Identical SB 2346)

**Federal Grants Trust Fund;** Creates the Federal Grants Trust Fund within the Department of Law Enforcement; provides for sources of funds and purposes; provides for future review and termination or re-creation of the trust fund. Effective Date: July 1, 2006.

Calendar without reference

**HCB 6001** (for HBs 117, 477) **CS by Governmental Operations Committee, Coley, Ausley, Anderson, Attkisson, Kendrick, Kreegel, Machek, Mahon, Meador, Porth, Richardson, Seiler, Waters** (Similar CS/CS/SB 428, Compare HB 117, HB 477)

**Per Diem and Travel Expenses;** Revises per diem, subsistence, and mileage rates for purposes of reimbursement of travel expenses of public officers, employees, and authorized persons; provides an appropriation. Effective Date: July 1, 2006.

Fiscal Council: Favorable With Committee Substitute; State Administration Council: Favorable

**HB 7021 CS by Criminal Justice Committee, Kravitz** (Similar SB 1414)

**Stolen Property;** Provides that specified circumstances give rise to an inference that the person in possession of a stolen motor vehicle knew or should have known that the motor vehicle had been stolen. Effective Date: July 1, 2006.

Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable With Committee Substitute

**HB 7031 CS by Tourism Committee, Detert** (Identical CS/SB 2384)

**Department of State;** Revises various provisions relating to the Department of State; clarifies terms of appointment to the Florida Arts Council; removes obsolete language; deletes a requirement for local sponsoring organizations to submit an annual postaudit to the Division of Cultural Affairs under certain circumstances; provides for deposit of the state's matching share of cultural endowment to the Florida Fine Arts Trust Fund rather than reversion to the General Revenue Fund; requires that authority to disburse funds is subject to notice and review procedures; provides for reversion of funds to the General Revenue Fund under certain circumstances; changes the dates for the first meeting of the Discovery of Florida Quincentennial Commemoration Commission, the completion of the initial draft of a specified master plan, and the submission of the completed master plan; transfers responsibility for the Florida Historic Capitol from the Department of State to the Legislature; provides for allocation of certain space for preservation, museum, and cultural programs of the Legislature; requires the maintenance of the Florida Historic Capitol pursuant to certain historic preservation standards and guidelines; removes responsibility of the Department of Management Services for security of the Historic Capitol and adjacent grounds; requires the Capitol Curator to be appointed by the President of the Senate and the Speaker of the House of Representatives; deletes rulemaking authority of the Department of State to conform; corrects references to repealed sections of Florida Statutes within provisions relating to the annual supplemental corporate fee imposed on each business entity authorized to transact business in this state. Effective Date: July 1, 2006.

Transportation & Economic Development Appropriations Committee: Favorable With Committee Substitute; State Infrastructure Council: Favorable With Committee Substitute

**HJR 7037 CS by Judiciary Committee, Simmons, Carroll, Evers, Pickens** (Compare SJR 1156, CS/SJR 1436)

**Two-Thirds Vote for Amendment Increasing State Tax of Fee or Resulting in Significant State Spending;** Proposes an

amendment to s. 7, Art. XI of the State Constitution to require a proposed amendment or revision to the State Constitution that increases an existing state tax or fee to be approved by at least two-thirds of those voters voting in the election in which the amendment or revision is considered; defines the term "existing state tax or fee" to mean any tax or fee that produces revenue to state government; requires that a proposed amendment or revision to the State Constitution that would result in significant additional spending by state government must be approved by at least two-thirds of those voters voting in the election in which the amendment or revision is considered; defines the term "significant additional spending" to mean additional spending in any state fiscal year prior to and including the first state fiscal year of full implementation, in an amount greater than one-tenth of one percent of the total state budget, as established in the General Appropriations Act approved by the Governor, for the state fiscal year ending in the year prior to the election in which such proposed amendment or revision is considered; specifies that the determination of whether a proposed amendment or revision would result in significant additional spending by state government would be made and certified in accordance with general law.

Finance & Tax Committee: Favorable With Committee Substitute; Justice Council: Favorable

**HB 7039 by Choice & Innovation Committee, Stargel** (Similar SB 1282)

**K-8 Virtual Schools;** Establishes the K-8 Virtual School Program within the Department of Education; provides student eligibility requirements; requires enrolled students to meet compulsory school attendance requirements and participate in the statewide assessment program; provides school eligibility requirements; provides a school application procedure and requires applicants to verify certain information and submit certain plans; provides for 3-year contracts for approved schools and authorizes contract renewals; designates participating schools as independent schools; authorizes the current pilot K-8 virtual schools to continue operation through the 2006-2007 school year; requires pilot schools to meet all application requirements in order to operate beyond the 2006-2007 school year; requires program funding to be established annually in the General Appropriations Act; requires schools to participate in the statewide assessment program and be subject to the school grading system; requires school improvement plans for low-performing schools and contract termination for continued low school performance; provides causes for nonrenewal or termination and responsibility for debt; provides for student enrollment in another public school under certain circumstances. Effective Date: July 1, 2006.

Education Appropriations Committee: Favorable; Education Council: Favorable

**HB 7065 CS by Health Care Regulation Committee, Garcia, Benson** (Compare SB 2224)

**Clandestine Laboratory Contamination;** Provides for quarantine of any residential property where illegal clandestine laboratory activities occurred; provides for establishment of a uniform notice and a uniform letter of notification; provides for posting of specified notice at the site of a quarantine; provides requirements for the sending of a specified letter of notification to a residential property owner or property manager; provides for petitions by certain persons to lift such quarantines under certain conditions; prohibits specified violations relating to such quarantines; permits demolition of quarantined residential property

under certain conditions; provides immunity from health-based civil actions for residential property owners who have met specified clandestine laboratory decontamination standards as evidenced by specified documentation; provides an exception to such immunity for persons convicted of manufacturing controlled substances at the site; provides for rulemaking to adopt clandestine laboratory decontamination standards; provides for certificates of fitness to indicate that decontamination has been completed; provides requirements for the lifting of a quarantine upon demolition of the property; requires the Department of Health to specify requirements for persons authorized to perform decontamination and contamination assessment; requires the department to compile and maintain lists of decontamination specialists and contamination assessment specialists; provides responsibilities for decontamination specialists; permits specialists to request specified documents; provides for issuance of certificates of fitness by contamination assessment specialists. Effective Date: July 1, 2006.

Criminal Justice Committee: Favorable With Committee Substitute; Health Care Appropriations Committee: Favorable; Health & Families Council: Favorable

**HB 7081 CS by Governmental Operations Committee, Rivera, Bogdanoff** (Identical CS/CS/SB 262, Compare HB 5003)

**Administrative Procedures;** Revises various provisions relating to administrative procedures; revises duties of the Administrative Procedures Committee with respect to its review of statutes; redefines the term "small business party" to include certain specified individuals whose net worth does not exceed a specified amount; requires an agency to file a notice of change with the Administrative Procedures Committee; revises times for filing rules for adoption; provides an exception to the term "administrative determination" for purposes of rule adoption; provides for the form and provisions of bonds; provides additional content for uniform rules; requires that certain information be included in forms incorporated by reference in rules; requires information to be published electronically on an Internet website; provides that such publication does not preclude other publications; provides additional duties of the Department of State with respect to publications; provides requirements for the Internet website; revises provisions relating to withdrawal of challenged rules; provides for equitable tolling as a defense to the untimely filing of a petition; requires a final order to include an explicit ruling on each exception to the recommended order; requires that additional information be included in notices relating to protests of contract solicitations or awards; requires the Division of Administrative Hearings to include certain recommendations and information in its annual report to the Administrative Procedures Committee; requires agency reports to be filed with the Administrative Procedures Committee; requires that the annual report filed by an agency identify the types of cases or disputes in which it is involved which should be conducted under the summary hearing process; requires the Department of State to provide certain assistance to agencies in their transition to publishing on the Florida Administrative Weekly Internet website. Effective Date: July 1, 2006.

Transportation & Economic Development Appropriations Committee: Favorable; State Administration Council: Favorable With Committee Substitute

**HB 7103 CS by Choice & Innovation Committee, Stargel** (Compare HB 7087, CS/SB 2048, CS/SB 2424)

**Charter Schools;** Revises various provisions relating to charter schools, including duties of sponsors, application process, denial of

an application, and review of appeals; provides procedures when a state of financial emergency exists; revises provisions relating to charter contracts, terms, and renewal; revises nonrenewal and termination provisions; revises duties of a charter school governing body; provides procedures with respect to charter schools with deficiencies; authorizes the imposition of a fine or withholding of lottery funds for certain violations; provides for additional services to charter schools; provides for charter schools to be subject to provisions governing financial emergencies; provides that certain liability insurance shall cover charter school personnel. Effective Date: July 1, 2006.

Education Appropriations Committee: Favorable With Committee Substitute; Education Council: Favorable With Committee Substitute

**HB 7135 by Criminal Justice Committee, Kravitz** (Identical SB 1386)

**Youthful Offenders;** Deletes a provision limiting certain sentencing options available to the court following a violation of the conditions of probation by a youthful offender. Effective Date: July 1, 2006.

Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

**HB 7137 CS by Criminal Justice Committee, Kravitz** (Similar CS/CS/SB 1736)

**Drug Testing Within the Department of Corrections;** Authorizes the department to develop a program for testing employees who are in safety-sensitive and special risk positions for certain controlled substances based upon a reasonable suspicion; provides for the reasonable suspicion to include violent acts or behavior of an employee while on or off duty; requires the department to adopt rules. Effective Date: July 1, 2006.

Governmental Operations Committee: Favorable With Committee Substitute; Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

**HB 7157 by Economic Development, Trade & Banking Committee, Bilirakis, Gottlieb** (Compare HB 45 CS, CS/CS/SB 80)

**Fraudulent Use or Possession of Identifying Information;** Creates pt. IV of ch. 668, F.S., the Anti-Phishing Act; prohibits specified acts relating to fraudulent use or possession of identifying information; authorizes civil actions for violations; provides for injunctive relief and damages; authorizes courts to increase awards of actual damages; provides for recovery of attorney fees and court costs; provides for jurisdiction and venue; provides for deposit of specified moneys received by the Attorney General into the Legal Affairs Revolving Trust Fund; authorizes the Department of Legal Affairs to adopt rules; provides for nonapplication to specified entities' good faith handling of identifying information; specifies absence of liability of an interactive computer service provider for actions taken to prevent violations of the act. Effective Date: July 1, 2006.

Civil Justice Committee: Favorable; Criminal Justice Appropriations Committee: Favorable; Commerce Council: Favorable

**HB 7159 CS by Agriculture Committee, Poppell** (Compare CS/SB 994)

**Agriculture;** Revises criteria for agricultural lands taken out of production by any state or federal eradication or quarantine program; requires the Department of Agriculture and Consumer Services to implement a citrus health plan for certain purposes; eliminates the authority of the department to remove and destroy certain citrus trees; deletes definitions and provisions relates to immediate final orders, notice to property owners, rulemaking authority, and the posting of certain orders, to conform; requires certain law enforcement officers to maintain order under certain circumstances involving the citrus canker disease management process; makes it unlawful to propagate certain citrus nursery stock on or after January 1, 2007, at sites and under certain conditions not approved by the department; provides exceptions; provides rulemaking authority; specifies regulation of certain varieties of citrus plants; provides exceptions; requires the department to establish certain regulated areas around commercial citrus nurseries; provides exceptions; provides for notice to property owners by immediate final order prior to removal of certain citrus trees; provides an appeal process for an immediate final order; provides for preemption to the state to regulate the removal and destruction of certain citrus plants; requires the department to relocate certain trees to certain locations; requires certain compensation claims to be filed by December 31, 2007; provides for the expiration of compensation claims not filed prior to January 1, 2008; provides for payment of claims by specified funds; provides for future repeal. Effective Date: upon becoming a law.

Agriculture & Environment Appropriations Committee: Favorable  
With Committee Substitute; State Resources Council: Favorable  
With Committee Substitute

**HJR 7165 CS by Judiciary Committee, Simmons** (Compare SJR 1918)

**Obsolete, Erroneous, and Inconsistent Provisions; Preservation of Certain Constitutional Provisions as Statutes;** Proposes a revision of the whole State Constitution to delete obsolete provisions and correct errors in spelling, punctuation, and grammar, inconsistencies in wording and style, and other technical issues and to repeal specified provisions and preserve them in statute.

Justice Council: Favorable With Committee Substitute

**HB 7169 by Juvenile Justice Committee, Culp** (Compare HB 335 CS)

**Juvenile Justice Pilot Program;** Creates a pilot program that authorizes specified courts to select commitment programs for juvenile delinquents; provides definitions; provides program's purpose; requires the Department of Juvenile Justice to develop implementation procedures and to publish specified information about commitment programs on its website; provides procedures for the selection of commitment programs by courts; requires evaluation and reports by the Office of Program Policy and Government Accountability; specifies department and court responsibilities relating to the reports; provides for future repeal. Effective Date: July 1, 2006.

Criminal Justice Appropriations Committee: Favorable; Justice Council: Favorable

**HB 7177 by Criminal Justice Committee, Kravitz** (Compare SB 1522)

**Time Limitations for Criminal Prosecutions;** Specifies the applicability period of a provision allowing an additional limitations period for specified offenses in certain circumstances; provides that a prosecution for specified offenses, unless otherwise barred by law, may be commenced at any time after the date on which the identity of the accused is established, or should have been established by the exercise of due diligence, through the analysis of DNA evidence. Effective Date: July 1, 2006.

Justice Council: Favorable

**HB 7179 by Finance & Tax Committee, Brummer** (Similar SB 1198)

**Corporate Income Tax;** Provides for the adoption of the 2006 version of the Internal Revenue Code; provides for retroactive operation. Effective Date: upon becoming a law and shall operate retroactively to January 1, 2006.

Fiscal Council: Favorable

**HB 7201 by Criminal Justice Committee, Kravitz** (Identical SB 198)

**Voyeurism;** Revises the elements of the offense of voyeurism in order to eliminate acts of photographing, filming, videotaping, or recording, which are made a crime under the separate offense of video voyeurism; provides that a person commits the offense of voyeurism when he or she, with lewd, lascivious, or indecent intent, secretly observes another person when the other person is in a location that provides a reasonable expectation of privacy. Effective Date: July 1, 2006.

Justice Council: Favorable

**HB 7209 by Governmental Operations Committee, Rivera** (Identical CS/SB 1212)

**Review under the Open Government Sunset Review Act regarding the Total Maximum Daily Load Program for State Waters;** Removes the October 2, 2006, repeal scheduled under the Open Government Sunset Review Act for an exemption from public records requirements for specified agricultural records and financial information held by the Department of Agriculture and Consumer Services pursuant to pollution reduction measures established by the department; makes editorial changes. Effective Date: October 1, 2006.

Agriculture Committee: Favorable; State Administration Council: Favorable

**HB 7233 CS by Governmental Operations Committee, Rivera** (Similar CS/SB 792)

**Review under the Open Government Sunset Review Act regarding the Communications Services Tax Simplification Law;** Reorganizes and makes editorial changes to current provisions of the state revenue laws which provide an exemption from public records requirements for all information contained in returns, reports, accounts, or declarations received by the Department of Revenue, including investigative reports and information and letters of technical advice, under enumerated sections and chapters of the Florida Statutes; removes the scheduled repeal of the

exemption from public records requirements for such information received by the department under the Communications Services Tax Simplification Law. Effective Date: October 1, 2006.

Finance & Tax Committee: Favorable With Committee Substitute;  
State Administration Council: Favorable

**HB 7237 CS by Utilities & Telecommunications Committee, Littlefield** (Compare CS/SB 1872)

**Public Service Commission;** Revises provisions relating to the Public Service Commission with respect to staff and terms of members; deletes obsolete provisions relating to transfer of functions to the commission; removes a provision for governance of the Committee on Public Service Commission Oversight; removes limits on the amount of certain regulatory fees; removes an exception for railroads from certain audits by the commission; repeals provisions relating to the Chief Auditor of the commission and to the regulation of certain coal slurry pipeline companies. Effective Date: July 1, 2006.

Finance & Tax Committee: Favorable; Commerce Council:  
Favorable With Committee Substitute

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**HB 7243 by Governmental Operations Committee, Rivera**  
(Similar CS/SB 1438)

**Custodial Requirements for Public Records;** Organizes provisions relating to the maintenance, preservation, and retention of public records and the custodial requirements for confidential and exempt records; provides requirements with respect to the authority of a custodian of a public record to release the record; provides requirements with respect to retention of confidential and exempt records by an agency or other governmental entity; authorizes a custodian of confidential and exempt records to require an agency or other governmental entity authorized to receive such record to acknowledge in writing the confidential and exempt status of such record; specifies that the act does not limit access to any record by an agency or entity acting on behalf of a custodian of public records, the Legislature, or pursuant to court order. Effective Date: July 1, 2006.

State Administration Council: Favorable

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